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By E-Filing

October 27, 2010

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423-0001

**RE: Finance Docket No. 35380, San Luis & Rio Grande Railroad  
Petition for a Declaratory Order**

Dear Ms. Brown:

I am e-filing on behalf of the San Luis & Rio Grande Railroad ("SLRG") the following documents in connection with the above-captioned declaratory relief proceeding:

1. SLRG's Reply Statement
2. Exhibit A, the testimony of Bret Rogers
3. Exhibit B, the testimony of Matt Abbey

Due to logistical issues, SLRG will submit Mr. Abbey's statement without the signature page which will be submitted later today. In addition, I am submitting by separate transmission a petition containing 1173 signatures most of whom support SLRG's request for a ruling by the Board upholding its right to establish and operate a railroad transload facility in Conejos County, CO.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John D. Heffner', with a long horizontal flourish extending to the right.

John D. Heffner

cc: All parties

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**STB Finance Docket No. 35380**

**SAN LUIS & RIO GRANDE RAILROAD  
PETITION FOR A DECLARATORY ORDER**

**REPLY COMMENTS**

Submitted by  
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Due: October 27, 2010

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**STB Finance Docket No. 35380**

**SAN LUIS & RIO GRANDE RAILROAD  
PETITION FOR A DECLARATORY ORDER**

**REPLY COMMENTS**

**INTRODUCTION**

San Luis & Rio Grande Railroad (“SLRG”) files these reply comments pursuant to an order of the Surface Transportation Board (“the Board”) served September 20, 2010, in the above-captioned proceeding.

**BACKGROUND AND  
STATEMENT OF FACTS**

As the Board will recall from previous submissions, this proceeding involves the question of whether the I.C.C. Termination Act (“ICCTA”) preempts certain provisions of the Conejos County Land Use Code (“CCLUC”) insofar as they might apply to transloading operations that SLRG plans to conduct at an intermodal facility located at Antonito in Conejos County, CO.<sup>1</sup> Additionally, this proceeding raises the closely related issue of whether the Clean Railroads Act

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<sup>1</sup> Hereafter “the Facility”

amendment to the ICCTA<sup>2</sup> precludes SLRG from moving this traffic absent its compliance with the CCLUC. The proposed transportation entails the SLRG's movement of contaminated dirt by rail for United States Department of Energy's ("DOE's") contractor *EnergySolutions* from the Facility to a site located at Clive, UT.<sup>3</sup>

On May 25, 2010, SLRG filed a Petition with the Board seeking the initiation of a declaratory proceeding to answer these two questions. On August 12, 2010, the Board served a decision instituting the requested declaratory relief proceeding initially setting August 27, 2010, as the deadline for SLRG's opening statement, September 27, 2010, as the due date for public comments in opposition, and October 12, 2010, as the deadline for SLRG's reply.

During the time between the commencement of this proceeding and the present, SLRG and its customer *EnergySolutions* continued to meet with County officials and local citizens on a regular basis in an effort to reach some sort of settlement. SLRG submits with this Reply as Exhibit A a sworn statement from *EnergySolutions'* Senior Vice President Bret Rogers identifying numerous efforts made by his company along with DOE and SLRG to meet with local citizens and officials and reach an agreement. Among other efforts, he describes Open House

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<sup>2</sup> 49 U.S.C. 10908-9.

<sup>3</sup> *EnergySolutions* will truck this traffic from the DOE Los Alamos National Laboratory ("LANL") located at Los Alamos, NM, to the Facility.

meetings as well as the several public and task force meetings<sup>4</sup> that were held to educate the public and alleviate concerns. In response to an inquiry from the local Congressman John T. Salazar, DOE official Donald L. Cook wrote a lengthy letter dated July 9, 2010 (“the July 9 Letter”), to Rep. Salazar explaining the project, describing the innocuous nature of the commodity to be shipped, the manner of shipment, and the commitment of all parties to safety. Out of a showing of good faith to the community and not because of any legal requirement, *EnergySolutions* filed a Land Use Special Use Review application for the Facility on September 9, 2010.

After the parties had resumed settlement negotiations two months ago, SLRG asked the Board to hold these proceedings in abeyance. But those negotiations were unsuccessful and SLRG asked that this matter be returned to the active docket. Per SLRG’s request, the Board set October 12 and October 27, respectively, for the submission of public comments in opposition and for SLRG’s reply.

Ten public parties filed responsive comments.<sup>5</sup> Only two parties, the Board of County Commissioners of Conejos County (“Conejos”) and a citizen group,

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<sup>4</sup> These meetings were held under the auspices of US Congressman John T. Salazar

<sup>5</sup> The public commenters included the Board of Commissioners of Conejos County and Conejos County Clean Water, Inc., whose comments are discussed at length here, a seven page filing by Aaron A. Abeyta, a citizen, two one-page comments in support of Clean Water by Kevin Roybal and Christine Canaly, and four additional one-page comments in support of Clean Water’s filing by Sheri Kotowski, Lead Organizer of the Embudo Valley Monitoring Group from

Conejos County Clean Water, Inc. (“Clean Water”), filed substantive comments. SLRG will first address those allegations and issues raised by Conejos alone or by both Conejos and Clean Water.

Stripped to its bare essentials, Conejos’ 17 page document boils down to the following five principal arguments:

1. The Clean Railroads Act (“CRA”) applies and therefore bars SLRG from moving this traffic absent compliance with the CCLUC;
2. The commodity to be shipped is both solid waste and radioactive and hazardous material;
3. The proposed transportation does not qualify for the original shipping container exemption under the CRA and therefore the CRA applies;
4. ICCTA’s preemption provisions do not bar the application of the CCLUC to the proposed transportation; and
5. SLRG wrongly introduced evidence of settlement discussions in this proceeding.

While Clean Water’s comments raise some of the same specific issues identified by Conejos, it raises some additional matters including ones beyond the

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Dixon, NM, Marylia Kelley and Scott Yundt with Tri-Valley Communities Against Radioactive Environment based in Livermore, CA, a group calling itself Honor Our Pueblo Existence (HOPE) based in Santa Clara Pueblo, NM, and Concerned Citizens for Nuclear Safety based in Santa Fe, NM. Significantly, four of these commenters are located outside of or even hundreds of miles from Antonito!

scope of this proceeding and jurisdiction of the Board. SLRG's discussion of those concerns that are exclusive to Clean Water begins at page 23 of this pleading.

### SLRG's RESPONSES TO CONEJOS

SLRG, directly and through written evidence submitted by *EnergySolutions* and DOE, responds to each of these assertions:

1. The Clean Railroads Act ("CRA") applies and therefore bars SLRG from moving this traffic absent compliance with the CCLUC:

Conejos urges that the CCLUC applies to SLRG's Facility because the CRA eliminated the Board's jurisdiction over "a solid waste rail transfer facility" as defined in 49 U.S.C. 10908. Conejos reasons that Congress intended that state and local laws apply to both the *location* [i.e. the Facility] where solid waste is "collected, stored, separated, processed, treated, managed, disposed of, or transferred" as well as the *activity* of a railroad when solid waste is "collected, stored, separated, processed, treated, managed, disposed of, or transferred." To conclude otherwise, Conejos asserts, would be an absurd result. Conejos concedes that the CRA exempts from state or local regulation those portions of a facility where certain activities are conducted. Although poorly worded, SLRG believes



that Conejos meant to concede that the transfer of original shipping containers from truck to rail is exempt from state or local law under the CRA.<sup>6</sup>

The “primary issue,” Conejos recognizes, is what Congress meant by the phrase “when the activity takes place outside of the original shipping container.”

SLRG’s response: The CRA draws a bright line between the handling of waste and the transfer of intermodal containers of any sort. Only waste that is directly handled in a solid waste facility is regulated by the CRA, and the transfer of sealed containers is not regulated by the CRA. A resolution of the interrelated issues of whether the ICCTA preempts the CCLUC and whether the CRA requires SLRG to comply with the CCLUC before moving this traffic depends upon whether the sealed bags and metal containers used to transport the contaminated dirt qualify as “original shipping containers” under the CRA. SLRG addresses this issue at length below.

2. The commodity to be shipped is solid waste:

Conejos argues that SLRG’s characterization of the commodity to be transported as “contaminated dirt” is “without merit.” Instead Conejos claims

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<sup>6</sup> Conejos’ statement regarding activities exempt under the CRA is confusing, reading “[w]ith regard to the regulation of ‘activities’ described in this statute, the only exemption provided is ‘when the activity takes place outside of the original shipping containers.’” SLRG believes that Conejos meant to say that the activities performed at a solid waste transfer facility such as the collection, storage, and separation of solid waste will be subject to the CRA when those activities are performed *outside* [emphasis supplied] the original shipping container.

without citing any scientific or technical support for its argument that the commodity is some combination of “solid waste” and radioactive and hazardous material subject to the CRA’s provisions as it is some mixture of construction and demolition (“c & d”) debris and “industrial and institutional waste.” Clean Water also questions the nature of the commodity as “contaminated dirt” suggesting that it is a mixture of radioactive waste and toxic waste and other hazardous materials including, among other things, depleted uranium (DU) and polychlorinated biphenyls.

SLRG’s response: If the Facility is handling Original Shipping Containers, and is merely transferring those Containers from one mode of transport to another, the commodity handled is exempted from the CRA. The issue in terms of preemption and the applicability (or lack thereof) of the CRA and the CCLUC comes down to whether the sealed bags and metal containers used for transportation here are “original shipping containers” under the law. If those bags and containers qualify as “original shipping containers,” the only remaining question is whether SLRG’s transloading operations satisfy the Board’s preemption precedent addressed in cases such as The City of Alexandria, Virginia-Petition for Declaratory Order, STB Finance Docket No. 35157, STB slip op. served February 17, 2009 and Borough of Riverdale-Petition for Declaratory

Order, STB Finance Docket No. 35299, STB served Aug. 5, 2010. Neither Conejos nor Clean Water address that question.

But even if the Board were to find that those bags and containers don't qualify as "original shipping containers," the contaminated dirt at issue here still falls outside of the CRA's coverage. The CRA identifies six major categories of waste falling within its purview as well as a seventh "catchall" category of "solid waste" referring back to the previous six. Those categories include (1) commercial and retail waste, (2) construction and demolition debris (3) household waste, (4) industrial waste, (5) institutional waste, and (6) municipal solid waste. Inasmuch as no party has alleged that the "contaminated dirt" involved here is commercial and retail waste, household waste, or municipal solid waste, SLRG limits its discussion to whether it constitutes c&d, industrial waste, or institutional waste.

Both Conejos and Clean Water allege without citing any scientific or technical support that the dirt here includes radioactive and/or hazardous waste.<sup>7</sup> Clean Water goes one step further and suggests that *this dirt* contains dangerous amounts of radioactive and hazardous particles because there are *other* clean up sites at the LANL that may have high levels of radioactive or hazardous materials present. The implication is that SLRG and/or EnergySolutions are "guilty by association" because they are involved in a clean up project where *other* facilities

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<sup>7</sup> Conejos at 10. See, e.g., Clean Water at 9-17, 21, 25-6.

undergoing restoration may have commodities with high levels of radioactive, hazardous, or toxic properties present. *EnergySolutions* does not have a permit to receive anything other than low-level radioactive and hazardous waste, DOT hazard class 7, 9, or unregulated. SLRG, *EnergySolutions* and DOE have painstakingly explained this in several well-documented public meetings, yet the County and Clean Water refuse to acknowledge the facts related to the contaminated dirt being moved, and the facts relating to DOT regulation of the commodity involved.

Regarding the issue of whether the contaminated dirt here constitutes c&d, industrial waste, or institutional waste, no public commenter provided any scientific or technical evidence as to whether this dirt falls into a category subject to the CRA's provisions. The commenters merely parrot the superficial definitions provided in the statute and do not cite to any case law describing these waste categories.

Arguably the public commenters could regard the "contaminated dirt" as "c&d" as it does contain small amounts of intermingled construction debris such as wood, electrical cable, metals, and masonry. Figure 1 in Mr. Rogers' statement accurately depicts the commodity for what it is, dirt. *Rogers V.S.* at 2. But there are many rail moves of "c&d" which consist of whole carloads of debris, and SLRG contends that Congress did not intend a carload of dirt containing small

amounts of construction debris to be regarded as “c&d.” Contaminated dirt does not qualify as “industrial waste” because even low-level hazardous waste is excluded from the definition of “industrial waste.

Finally, the contaminated dirt is not “institutional waste” as it was not discarded by schools, hospitals, or prisons, nor is in material discarded as a result of nonmanufacturing activities by government facilities and the preponderance of the waste is not any kind of discarded material but is, in fact, dirt.

DOE’s Donald Cook has previously addressed the status of the dirt as radioactive or hazardous. SLRG submitted a copy of the July 9 Letter as Exhibit 3 to its Opening Statement and Clean Water’s filing includes his letter as Attachment K. He states that the containerized waste has only the “lowest classification of low-level radioactive waste (Class A LLW).” He notes that *EnergySolutions*’ facility is only licensed to accept this low lowest category of radioactive waste, has committed not to ship anything higher than Class A LLW, and future wastes would also be Class A LLW.

*EnergySolutions*’ Bret Rogers also addresses this issue in his written testimony submitted here as Exhibit A. He acknowledges that the dirt contains very low levels of PCB’s and radioactive materials adding that a typical railcar load of coal contains more radioactive material than a railcar load of this material.

He confirms that Energy*Solutions* is limited by its license to only accept radioactive waste that is defined as Class A Low-Level Radioactive Waste (LLRW).<sup>8</sup> The waste being shipped to Energy*Solutions*' disposal facility from LANL has significantly less radioactive than the Class A concentration limits. Finally, he notes that most of the shipments that have been trucked by highway to the Clive disposal facility through Colorado have been below U.S. Department of Transportation (DOT) threshold limits and have been manifested as non-DOT regulated waste. Regarding the dirt's other characteristics, Mr. Rogers points out that there are no liquids or gases present and the materials are neither explosive nor flammable and that the low levels of PCB contaminants will not dissolve in water and do not readily evaporate in air due the very low vapor pressure of this material. Rogers V.S. at 3.

3. The bags and containers used to ship the cargo do not qualify as "original shipping containers" under the CRA:

After conceding that the statute does not define "original shipping containers," Conejos boldly asserts without citing to any other definition of that term or providing any supporting testimony or documenting evidence that the

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<sup>8</sup> The U.S. Nuclear Regulatory Commission (NRC) developed four categories or classes of radioactive waste that are defined in 10 CFR Part 61. The NRC waste classification system includes Class A, Class B, Class C, and Greater than Class C LLRW. Class A waste contains the least radioactive concentrations and is 100 times less radioactive than Class C waste for several radionuclides.

sealed bags and shipping containers that *EnergySolutions* plans to employ do not qualify for the CRA's original shipping container exemption. The crux of Conejos' argument is that the plastic bags being used to transport the cargo here can be opened at any time and that SLRG has not produced any evidence indicating that these bags have been regulated by any state or federal agency or that these bags are in compliance with any DOT requirements. Regarding the metal containers ("intermodals") used to transport some cargo, Conejos claims that SLRG failed to allege that these containers are in fact "sealed" before the transportation begins and offers no evidence that these containers comply with any applicable regulations regarding their safety. Because both the bags and the metal containers are subject to "invasion" by "free liquid accumulation," Conejos asserts they do not constitute "original shipping containers." Conejos without any supporting documentation avers that Congress intended for state and local governments to regulate original shipping containers where the CRA was ambiguous on the point!<sup>9</sup>

Clean Water's shipping container comments are pretty much to the same effect. It also acknowledges that neither the CRA nor the Board's waste transfer facility interim regulations explicitly define the term "original shipping container."

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<sup>9</sup> Conejos at 10.

Admitting its lack of legal and technical expertise,<sup>10</sup> Clean Water claims without citing any evidence or authority that the bags are not waterproof, are permeable by water and contaminants, and therefore cannot be considered sealed. Regarding the metal intermodals, Clean Water urges that these containers cannot qualify as “original” because they can be and are reusable.

SLRG’s response: In reply SLRG submits written testimony by *EnergySolutions’* Bret Rogers that squarely refutes Conejos’ and Clean Water’s arguments that the sealed bags and containers do not meet the statutory “original shipping container” requirement. Mr. Rogers states, “The containers are designed, constructed, tested, and used to comply with the U.S. Department of Transportation (DOT) requirements. Specifically, these containers are designed and constructed to prevent the release of waste material during transportation.” He adds that “these containers are designed, constructed, tested, and used to comply with DOT regulations for shipping radioactive waste in accordance with 49 CFR 173. Specifically, these containers must be designed and constructed to prevent the release of waste material during transportation. Mr. Rogers notes that these containers are manufactured with a coated and woven polypropylene fabric, are capable of holding up to 14,000 pounds of waste material and that the containers are water resistant and are designed to withstand wind or rain during the normal

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<sup>10</sup> Clean Water comments at 19



course of transportation. Significantly, each container and bag is sealed after the waste is packaged and is not opened until reaching its final destination at the disposal facility in Clive, Utah. Each shipment is certified by a qualified shipper to comply with applicable DOT regulations. These containers have been and are currently being used by remediation contractors at other site restoration projects throughout the country to package and ship radioactive waste to the Clive disposal facility. Rogers V.S. at 3-4. Finally, Mr. Rogers attaches as Attachment 2 to his statement the certification by its container vendor that the container to be used here complies with the packaging requirements and specifications prescribed in 49 CFR 173.

SLRG believes that because a few Conejos County residents grow potatoes, and are commonly using similar polypropylene containers that are not DOT Certified, and do not withstand rough handling, they have become confused about the difference in the containers, and that in fact they do not understand that the *EnergySolutions* polypropylene containers, approved by USDOT for handling this waste, completely sealable, are quite different. SLRG has observed *EnergySolutions* attempting to explain these containers in public meetings, and has observed that those listening were not open to understanding the differences. Other Conejos County residents are not participants in Clean Water and do not support the County's opposition to SLRG, and accept that USDOT regulated

shipping containers are sufficient. SLRG has obtained support of over 200 Conejos County residents for the Facility.

Conejos' notion that Congress in the absence of any legislative clarification on the term "original shipping container"<sup>11</sup> would allow state and local governments to regulate in that area is totally ludicrous. As discussed in section 4, immediately below, the courts have held "[i]t is difficult to imagine a broader statement of Congress' intent to preempt state [or local] regulatory authority over railroad operations." Where the federal government has so thoroughly occupied a field as it has here with prescribing definitions of terms in the CRA, there is nothing left for state and local governments to regulate. Cf. Wisconsin Cent. Ltd. v. City of Marshfield, 160 F. Supp. 2d 1009, 1014 (W.D. Wis. 2000). Congress intended to leave the task of crafting definitions or implementing provisions of the CRA to the Board.

In response to Clean Water's allegations that EnergySolutions' sealed bags and containers do not satisfy the statutory "original shipping container" exemption requirement, SLRG notes with irony that Clean Water has submitted a copy of the July 9 Letter where Mr. Cook states that the contaminated waste will be transported in either "containers" or in "sealed and intact containers."

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<sup>11</sup> Conejos at 10.

4. Federal law does not bar the application of the CCLUC to the proposed transportation:

Conejos and Clean Water strenuously urge that the ICCTA's preemption provisions do not apply and therefore the SLRG's activities at the Facility are subject to the CCLUC. At the core of their arguments are assertions that compliance with the CCLUC is simple and well defined with an expeditious approval process and that local government regulation is lawful where it involves local police powers over public health and safety. Accordingly, they assert, this process is neither burdensome nor discriminatory to SLRG. Further, Conejos stresses that there is what it calls a "well established" presumption against preemption and that the ICCTA does not preempt state and local laws involving matters of public health and safety. Conejos also claims that SLRG is free to seek relief from the Board in the form of a land use exemption should it be unable to get approval for the Facility from the local county planning board. Conejos at 13.

SLRG's response: In stark contrast to Conejos' statement that there is a "well established" presumption against preemption, one federal court said, "[i]t is difficult to imagine a broader statement of Congress' intent to preempt state [or local] regulatory authority over railroad operations." CSX Transp., Inc. v. Georgia Pub. Serv. Comm'n, 944 F. Supp. 1573, 1581 (N.D. Ga. 1996). Furthermore, for those state or local actions that are not facially preempted, the section 10501(b)

preemption analysis requires a factual assessment of whether that action would have the effect of preventing or unreasonably interfering with railroad transportation. Dakota, Minn. & E.R.R. v. State of South Dakota, 236 F. Supp.2d 989, 1005-08 (S. S.D. 2002), aff'd on other grounds, 362 F.3d 512 (8th Cir. 2004) (revisions to state's eminent domain law preempted where revisions added new burdensome qualifying requirements to the railroad's eminent domain power that would have the effect of state "regulation" of railroads). The Board itself has held that it is well settled that states [and local governments as well] cannot take any action that would have the effect of foreclosing or unduly restricting a railroad's ability to conduct any part of its operations or otherwise unreasonably burden interstate commerce. *See, CSX Transportation-Petition for Declaratory order, STB Finance Docket No. 34662 slip op. STB served May 3, 2005, and cases cited therein at 5.*

Although Conejos is correct in asserting that preemption is not exclusive, its characterization of this doctrine is faulty. Rather, a more appropriate statement of the law would read "not all state and local regulations are preempted [by the ICCTA]; local bodies retain certain police powers which protect public health and safety." ... It therefore appears that states and towns may exercise traditional police powers over the development of railroad property, at least to the extent that the regulations protect public health and safety, are settled and defined, can be obeyed

with reasonable certainty, entail no extended or open-ended delays, and can be approved (or rejected) without the exercise of discretion on subjective questions. Electrical, plumbing and fire codes, direct environmental regulations enacted for the protection of the public health and safety, and other generally applicable, non-discriminatory regulations and permit requirements would seem to withstand preemption. Cf. Vill. of Ridgefield Park v. New York, Susquehanna & W. Ry. Corp., 163 N.J. 446, 750 A.2d 57, 64 (2000).<sup>12</sup>

The application of the CCLUC here qualifies for preemption under that standard because it would prevent SLRG from *ever* handling *EnergySolutions'* traffic until such time as either it or *EnergySolutions* could obtain the required permit from local authorities. Mr. Rogers states that during the first quarter of 2010, county officials insisted that *EnergySolutions* apply for a Special Use Review Land Use Permit under the CCLUC to use the Facility. However, that Special Use Review process was not available for over six months since the County had placed a moratorium on issuing permits until the end of May 2010.

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<sup>12</sup> noting the Board's position that: (1) "while state and local government entities . . . retain certain police powers and may apply non-discriminatory regulation to protect public health and safety, their actions must not have the effect of foreclosing or restricting the railroad's ability to conduct its operations or otherwise unreasonably burdening interstate commerce"; and (2) "railroads are exempt from the traditional permitting process but not . . . from most other generally applicable laws."

To that extent this moratorium delayed the commencement of this service by close to a year from its planning back in the Spring of 2009 to the late Spring of 2010.

Although *EnergySolutions* urges that no permit is required for *the railroad* to conduct transload operations at the Facility, *EnergySolutions* agreed to apply for a permit as a matter of good faith and at the request of the local key stakeholders represented in the task force meetings. *EnergySolutions* submitted the permit application on September 9, 2010. Subsequently, Conejos's Land Use Administrator deemed the permit application complete on September 9, 2010.<sup>13</sup> The Conejos County Planning Commission held a meeting on September 29, 2010 at which it voted to recommend that the County Commissioners deny approval of the application without providing any justification for their recommendation. While *EnergySolutions* has requested a copy of the Planning Commission's written justification, it has yet to receive either a copy of the written decision or the justification. The County Commissioners' public meeting on the application is scheduled for November 4, 2010, during which the County Commissioners will discuss the Planning Commission's recommendation and will vote on whether to 1) approve the permit application as submitted, 2) approve the permit application with additional conditions, or 3) deny the application. There is no guaranty that *EnergySolutions* will be successful in obtaining a Special Use Review Land Use

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<sup>13</sup> See, Attachment 3 to Rogers V.S.

Permit at the end of this process in view of the Planning Commission's strong opposition. Rogers V.S. at 7-9. This process has and continues to be highly subjective, with no definitive response from the Planning Commission on why it recommended rejection, in direct contravention of the doctrine expressed in the Ridgefield Park case.

Requiring compliance by SLRG with Conejos' permitting regulations clearly violates the ICCTA's provisions. It denies SLRG the ability to provide needed rail service. Obtaining local approval involves extended regulatory delays and entails a subjective, uncertain regulatory permitting process without any clear cut criteria or standards.

Moreover, *EnergySolutions* contends that the Conejos County Land Use process has been unreasonably enforced and inaccurately applied to the truck-to-rail transload facility. *EnergySolutions'* position as discussed at more length in Mr. Rogers' statement is that the transload operations are part of a transportation activity and not a "Solid Waste Transfer Facility" as defined in the Conejos County Land Use Code. Rogers V.S. at 9-10. While interpretation of Colorado land use law is beyond the jurisdiction and expertise of the Board, SLRG and *EnergySolutions* believe that Conejos appears to have subjected the Facility to a much greater level of scrutiny and review than similar facilities have faced

elsewhere. To that extent application of the CCLUC is both burdensome and unreasonable.

5. SLRG wrongly introduced evidence of settlement discussions:

Conejos accuses SLRG of making several blatant misrepresentations regarding the settlement discussions between the parties. More specifically, Conejos asserts "... SLRG erroneously alleges that the 'parties arrived at what SLRG, [EnergySolutions], and several County officials thought was the basis for a mutually acceptable settlement agreement.'" Conejos responds that there was no settlement agreement executed by any party and that it is inappropriate to even discuss the settlement negotiations of the parties in any legal forum. More egregious, Conejos asserts, was the statement that the County Commissioners declined to approve the proposed settlement against the advice of the County attorney and they directed him to go to local court to seek an injunction.

SLRG's response: SLRG commented on the settlement discussions because Conejos made them a matter of public record by discussing the settlement terms at a public meeting. Clean Water's comments state:

"The next week the BOCC [Board of County Commissioners] held a special public meeting where the Conejos County Attorney, Stephane Atencio, outlined the closed-door discussions that had been ongoing amongst the County, EnergySolutions, and the SLRG...He highlighted



the negative financial impacts that litigation could have on the County. He then summarized a proposed settlement document between the County, *EnergySolutions*, and the SLRG.”

Clean Water at 10.

It was none other than DOE’s Donald Cook who stated in the July 9 Letter that *EnergySolutions* and SLRG proposed a number of concessions to address the community’s concerns. After stating that those steps were memorialized in an agreement-in-principle dated May 14, 2010, he stated, “[w]e understand that the Board of County Commissioners rejected that Agreement against the advice of the Conejos County Attorney.” Cook letter at 2. Bret Rogers’ statement confirms these events in his statement. Rogers V.S. at 7. Finally, both Mr. Rogers and Clean Water confirmed that the Board of County Commissioners directed Conejos to seek injunctive relief against the SLRG. Rogers VS at 7; Clean Water at 10.

Further, at the meetings where SLRG negotiated with the County, two of the three Commissioners were present, and SLRG was informed that because two Commissioners were present, the meetings were “public” under Colorado law, and that notice of the meetings had been published.

SLRG’s response to Clean Water’s additional comments: Clean Water would have the Board see this dispute as one between a David [a poor, agrarian, and majority-Hispanic population] and a Goliath [a wealthy corporation and an uncaring federal government agency]. In response to Clean Water’s suggestion

that SLRG and *EnergySolutions* are uncaring, deaf, dumb, and blind corporations, SLRG is a small business with ties to the local community. SLRG services the agricultural community in the San Luis Valley, and is a partner in tourism development with all six counties in the Valley. SLRG employs local residents, including Conejos County residents. SLRG needs freight business in the Valley in order to survive and to continue to maintain its tracks. Moreover, *EnergySolutions* is headquartered in relatively nearby in Salt Lake City, UT. Both have made frequent and substantial efforts at community outreach with participation in numerous meetings with local officials. While not required by law because the Facility will be operated by SLRG and not *EnergySolutions*, *EnergySolutions* has nonetheless applied for a Special Use Permit for its activities to show its good faith. Rogers V.S. at 8-9.

To the extent that Clean Water raises numerous questions whether DOE's LANL restoration efforts satisfy the National Environmental Policy Act that is a matter beyond the scope of this proceeding as well as the Board's jurisdiction and expertise. Similarly, issues involving the choice of rail versus truck transportation and the routing of the traffic away from Conejos County or around Colorado are again outside the scope of this proceeding. Regarding the nature of the commodity to be transported or the bags and containers used for transportation, Clean Water makes numerous assertions that appear to be unsupported by any written evidence

in the form of sworn statements, letters, or similar documents. Rather it cites but does not submit various reports, websites, and articles without providing any indication as to why there are pertinent. Examples can be found at pages 20, 24, 26, and 27.

Regarding the safety of its operations, SLRG submits as Exhibit B short statement by its General Manager Matthew Abbey. Contrary to Clean Water's allegations, the railroad industry including SLRG has a safety record that is the envy of all modes of transportation and industrial enterprises generally. While SLRG does operate a limited local passenger service, SLRG does not handle any sort of hazardous or waste traffic in passenger trains as a matter of company policy. Regarding track and bridge maintenance and safety, SLRG's track has been upgraded to meet the new 286,000 lbs per car industry standard.

Clean Water questions the need for the Board to continue with this proceeding while it also asks the Board to hold a field hearing to solicit local concerns. If SLRG and EnergySolutions had reason to believe that Conejos County officials would promptly issue permits to allow transload operations at the Facility to begin soon, there would be no need for this proceeding. It would be moot. Unfortunately, actual experience shows otherwise. Conejos County implemented a moratorium on accepting and considering Special Use Permits just about the time that one might have been filed. Moreover, as Bret Rogers has

testified EnergySolutions does not have any confidence that its permit will be approved by the County Commission over the objections of the Planning Commissioners. Accordingly, there is an ongoing dispute for the Board to resolve. Further, SLRG's experience with the Town of Antonito and with Conejos County indicates that any future plans for transloading or other kinds of railroad activity are likely to result in similar delays and lengthy proceedings, and SLRG would like to resolve this once and for all.

SLRG recognizes that the Board has limited resources and sees no need sending one of its employees to hear comments from local citizens. Conejos and Clean Water have filed substantial written comments detailing their numerous objections and conveying the sentiments of but a few of their constituents. However, only three local citizens have seen fit to write the Board and express their opposition to the Facility. Two of these comments merely endorse what Clean Water has said. By contrast, SLRG will be e-filing the signatures of 1173 area people, including 200 Conejos County Residents on a petition it has circulated among area citizens relating to this project, all of whom voiced their *support*. This compares very favorably to the 139 signatures that were obtained by the opponents.

## CONCLUSION

Despite the lengthy filings submitted here, the case is a very simple one. It presents the issue of whether the transloading facility at Antonio in Conejos County, CO, is a solid waste transfer facility, within the meaning of 49 U.S.C. 10908. Subsection (e) (H) defines the term, and it clearly pertains solely to facilities where solid waste "is collected, stored, separated, processed, treated, managed, disposed of, or transferred, when the activity takes place *outside* [emphasis supplied] of the original shipping containers." Mr. Rogers proposed verified statement permits of no doubt that the contaminated soil is placed at the Los Alamos National Laboratory in Los Alamos, NM, into containers which are sealed and not reopened until they are delivered to the disposal site in Clive Utah. The transloading of the original shipping containers from the trucks to the rail cars at Antonio simply is not covered by the Clean Railroads Act of 2008 and the public commenters have failed to show that the transloading operations conducted at the Facility do not meet Board precedent.

This case also presents an important policy issue. Does the public really want to ship significant amounts of freight regardless of type over mountainous roads with the attendant weather considerations and highway wear and tear when a safer alternative, a railroad, is available? SLRG requests that the Board

expeditiously rule that the state and local law in the form of the CCLUC is preempted by federal law and therefore does not apply here.

Respectfully submitted,



John D. Heffner  
John D. Heffner, PLLC

1750 K Street, N.W.

Suite 200

Washington, D.C. 20006

(202) 296-3334

Due: October 27, 2010

**CERTIFICATE OF SERVICE**

I, John D. Heffner, hereby certify that a copy of the foregoing Reply Comments of San Luis & Rio Grande Railroad dated October 27, 2010, were sent by first-class United States and/or e-mail if known to all parties to this proceeding including:

Stephane Walter Atencio, Esq.  
S.W. Atencio & Associates, P.C.  
Conejos County Attorney  
601 Third Street  
Alamosa, CO 81101

Mary Alice Trujillo  
Conejos County Clean Water Inc.  
P.O. Box 153  
Antonito, CO 81120

Aaron Abeyta  
502 W. 8<sup>th</sup> Avenue  
Antonito, CO 81120

  
\_\_\_\_\_  
John D. Heffner

Dated: October 27, 2010

**EXHIBIT A**





**Sworn Statement**

**October 27, 2010**

**John D. Heffner via Email ([j.heffner@verizon.net](mailto:j.heffner@verizon.net))**

**John D. Heffner, PLLC  
1750 K Street, N.W.  
Suite 200  
Washington, D.C. 20006**

**Subject: Sworn Statement Regarding the Transload Facility in Conejos County Colorado**

**Dear Mr. Heffner,**

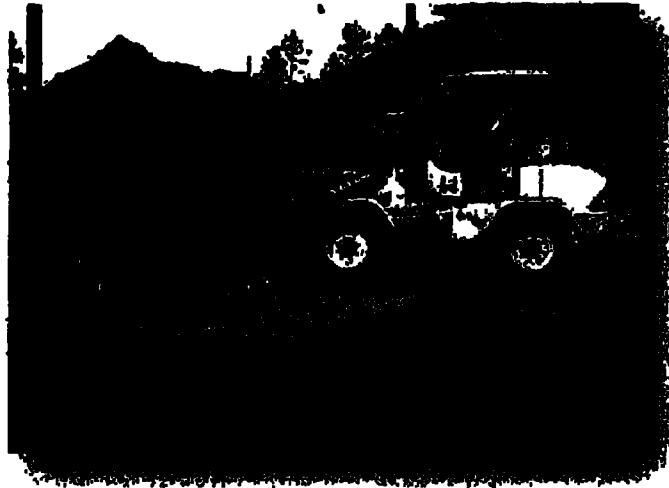
**EnergySolutions has been asked to provide additional information in this written sworn statement regarding the proposed truck-to-rail transload facility located in Conejos County Colorado. Specifically, this letter documents 1) a description of the radioactive material being shipped in sealed containers, 2) the regulations that govern safe transportation of the containers, 3) details and timing of previous efforts made by EnergySolutions, the U.S. Department of Energy (DOE), and the San Luis and Rio Grande Railroad (SLRG) to address the concerns of the local community, 4) an accurate description of the negotiated Settlement Agreement between SLRG, EnergySolutions, and the Conejos County Commissioners, and 5) the current status of the Special Use Review application for a Land Use Permit submitted to Conejos County by EnergySolutions.**

**I, Bret Rogers, am the Sr. Vice President of our Technical Services division at EnergySolutions. EnergySolutions mission is to protect the public and environment by managing radioactive waste from various contaminated sites throughout the country and providing safe disposal of the waste at our licensed disposal facility in Clive, Utah. I have been employed by EnergySolutions since 1999. My current responsibilities include supporting our customers with waste management services such as waste characterization, packaging, transportation, treatment, and disposal.**

**Description of the Radioactive Waste**

**EnergySolutions is contracted by the DOE to provide packaging, transportation, and disposal services for Los Alamos National Laboratory (LANL) located in Los Alamos, New Mexico. LANL is working under a Consent Order issued by the State of New Mexico to restore several contaminated areas by 2015. Waste generated as a result of these restoration activities includes primarily contaminated soil and debris as illustrated in Figure 1. As shown in the figure, onsite**

personnel wear standard industrial safety clothes such as steel toed shoes, hard hats, and safety glasses when loading the contaminated dirt into the containers.



**Figure 1. Excavated Soil from Remediation Activities at LANL**

The radioactive waste is characterized to determine the radionuclide concentrations to ensure compliance with all applicable U.S. Department of Transportation (DOT) regulations prior to shipment. *EnergySolutions* evaluates the characterization information during the preliminary acceptance process to ensure compliance with its Radioactive Material License and Waste Acceptance Criteria.

The cargo is considered 'in transit' during its journey from LANL to its final destination in Clive, UT. The transfer from one mode of transportation to another while in transit is a common commercial practice. During this transloading operation the waste packages are never stored or staged on the ground and they do not come in contact with the ground. In addition, the containers are not opened until reaching its final destination at the disposal facility in Clive, Utah.

The materials received and handled at this site are packaged, inspected and transported under rigorous controls established by applicable state and federal regulations in order to assure the safety of personnel and the environment. The containers are designed, constructed, tested, and used to comply with the U.S. Department of Transportation (DOT) requirements. Specifically, these containers are designed and constructed to prevent the release of waste material during transportation.

Upon arrival at the transload facility, the original shipping containers are then directly loaded from the truck into railcars. The railcars are equipped with a hard fiberglass lid which is secured after the containers are loaded from the truck into the railcar. At no time are the original

shipping containers opened. The railcar is then billed to the railroad for delivery to the Clive, Utah disposal facility. The typical amount of time required to safely transfer a truck load of waste packages into a rail car is on the order to 15 to 20 minutes.

The contained materials are comprised predominantly of soils with lesser quantities of intermingled construction debris such as wood, electrical cable, metals and masonry. They are lightly contaminated with very low levels of PCB's and radioactive materials. There are no liquids or gases present and the materials are neither explosive nor flammable. A typical railcar load of coal contains more radioactive material than a railcar load of this material. The low levels of PCB contaminants will not dissolve in water and do not readily evaporate in air due the very low vapor pressure of this material. In the highly unlikely event that the integrity of a container is breached, spilled materials can be stabilized in place and easily retrieved. Any potential environmental impact would be extremely low and confined to the immediate area of the spill. EnergySolutions maintains the capability to mobilize trained personnel that possess the training and equipment necessary to retrieve this material and to fully remediate the affected area of all resultant contaminants.

EnergySolutions is limited by its license to only accept radioactive waste that is defined as Class A Low-Level Radioactive Waste (LLRW). The U.S. Nuclear Regulatory Commission (NRC) developed four categories or classes of radioactive waste that are defined in 10 CFR Part 61. The NRC waste classification system includes Class A, Class B, Class C, and Greater than Class C LLRW. Class A waste contains the least radioactive concentrations and is 100 times less radioactive than Class C waste for several radionuclides. The waste being shipped to EnergySolutions disposal facility from LANL is significantly less than the Class A concentration limits. In fact, most of the shipments that have been trucked by highway to the Clive disposal facility through Colorado have been below DOT threshold limits and have been manifested as non-DOT regulated waste (refer to Attachment 1).

#### Original Sealed DOT Compliant Shipping Containers

EnergySolutions provides containers to LANL for packaging the soil and debris. Figure 2 illustrates the contaminated soil and debris being placed into containers at the LANL project site. These containers are designed, constructed, tested, and used to comply with DOT regulations for shipping radioactive waste in accordance with 49 CFR 173. Specifically, these containers must be designed and constructed to prevent the release of waste material during transportation. Attachment 2 provides the certification by the container vendor that the container complies with the packaging requirements and specifications prescribed in 49 CFR 173. These containers are manufactured with a coated and woven polypropylene fabric and are capable of holding up to 14,000 pounds of waste material. The containers are water resistant and are designed to withstand wind or rain during the normal course of transportation.

Each container is sealed after the waste is packaged and is not opened until reaching its final destination at the disposal facility in Clive, Utah. Each shipment is certified by a qualified shipper to comply with applicable DOT regulations. These containers have been and are



**Figure 2. Loading of Contaminated Soil into Containers at LANL**

currently being used by remediation contractors at other site restoration projects throughout the country to package and ship radioactive waste to the Clive disposal facility. Figure 3 illustrates a loaded bag being staged at the LANL site for shipment to the Clive disposal facility. Other DOT compliant containers such as intermodals could also be used since they are loaded at the project site and then sealed prior to transportation from origin (i.e., the LANL project site) to final destination (i.e., the Clive disposal site). At no time during transit are the containers re-opened. To the point, DOT regulations require the original shipping container to remain sealed from origin to destination in order to avoid the waste being exposed to the environment at any time.

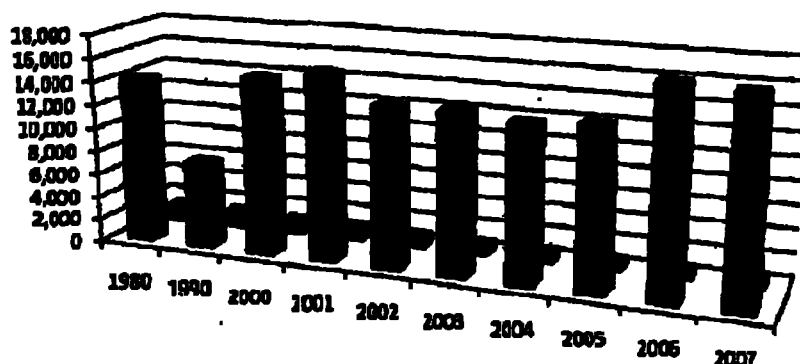


**Figure 3. DOT Compliant Containers Awaiting Transportation at LANL**



**Figure 4. Original Shipping Containers Loaded Into Lidded Gondola Railcar at the Truck-to-Railcar Transload Facility**

Simply transloading the sealed containers from a flatbed truck into a lidded gondola railcar does not increase the transportation risk. In fact, shipping by rail reduces the transportation risk due to the lower incident rates shipping by rail versus truck as supported by the graph in Figure 5.



(Source: U.S. DOT Pipeline and Hazardous Materials Safety Administration 2008)

**Figure 5. Highway Trucking versus Railroad Hazmat Transportation Incidents**

*EnergySolutions* licensed disposal facility is served by the Union Pacific Railroad. The disposal facility is equipped with over 10 miles of onsite rail track to facilitate switching and management of railcars. *EnergySolutions* has been receiving radioactive soil and debris since 1988 and receives over 70 percent of this material by rail due to the significant safety and cost advantages of rail transportation.

At the disposal facility, the railcars are emptied in a state-of-the-art railcar rotary dumping facility. The containers are opened, sampled, and then loaded onto large dump trucks and transported to the disposal embankment. The soil and debris are emptied from the dump truck onto the disposal embankment and then compacted with heavy equipment to meet compaction requirements.

#### Efforts to Work with the Local Community

In an attempt to address concerns with the local community, *EnergySolutions*, SLRG, and the DOE have met several times over the last year with the local community and Conejos County officials. Open House meetings have been organized by *EnergySolutions* to provide additional information about the waste being shipped in containers at the truck-to-transload facility. *EnergySolutions* has also been involved with several public and task force meetings in an attempt to resolve concerns and help to educate the local community regarding the transportation activities.

During the first quarter of 2010, Conejos County officials insisted that *EnergySolutions* apply for a Special Use Review Land Use Permit to use the transload facility. The Special Use Review process, however, was not available since the County had placed a moratorium on the Special Use Review process until the end of May 2010. In addition, *EnergySolutions'* position is that the Special Use Permit process did not apply as discussed in more detail below.

SLRG contends that the railroad has the right under Federal law to operate the transload facility and that a Land Use Permit is not required. Due to the opposing positions regarding the authorization to operate the transload facility and in an effort to avoid the County entering into litigation, all parties agreed to negotiate in good faith a Settlement Agreement.

Over the course of several weeks, *EnergySolutions*, SLRG, and County officials held several meetings to discuss the conditions of the Settlement Agreement. Although the Settlement Agreement was not required due to the Railroad's authorization to operate the transload facility, the process permitted the addressing of public issues including those of the local community. Some of these conditions included:

- Development Fee per ton shipped through the transload facility
- Open book access for County to review operations
- Commitment to specific process and operational controls
- Community and agency training
- Pre- and Post-Operational Environmental baseline verification
- Continued public involvement and outreach programs

During good faith negotiations, SLRG and *EnergySolutions* began to implement the agreed upon conditions in order to support shipments that would resume by the end of May 2010. The County commissioners had previously authorized the County attorney to enter in to negotiations with the railroad and *EnergySolutions* which resulted in the Settlement Agreement. The County commissioners were also in attendance during the Settlement Agreement negotiations. During a

conference call with the County commissioners on May 14, 2010, the County attorney informed EnergySolutions that they had come to an "agreement in principle" regarding the Settlement Agreement.

On May 20, 2010, a public meeting was held to brief the public of the Settlement Agreement and to put on public record the County Commissioner's approval of the agreement. The attorney representing the County, who was also part of the Settlement Agreement negotiations, detailed the background on how the Settlement Agreement approach was proposed and the basis for the county deciding to enter into negotiations with EnergySolutions and the railroad. The county attorney also described the potential cost impacts of litigation as well as the likelihood of overturning the railroad's position. The details of the Settlement Agreement were presented by the County attorney during the public meeting. In a surprising turn of events, the County commissioners, however, voted against approving the terms and conditions of the Settlement Agreement. Additionally, the County commissioners voted to file an injunction against the railroad to prevent the operation of the transload facility.

During the following weeks, EnergySolutions continued to transport the waste from the DOE LANL site to the Clive disposal facility by truck through Colorado using the same DOT compliant packages. On August 5, 2010, Colorado Congressman John Salazar held a public meeting in Antonito, CO where he organized a task force consisting of key stakeholders in an effort to find a workable solution.

The task force met each week for several weeks discussing options on how to move forward with transload operations and addressing concerns of the local community. On September 2, 2010, EnergySolutions agreed to apply for a Special Use Review Land Use Permit at the request of the local key stakeholders represented in the task force meetings. EnergySolutions submitted the permit application on September 9, 2010 and documented the following in the application:

*EnergySolutions is submitting this application, in accordance with the offer to Congressman Salazar's task force concerning use of the proposed transload facility, in order to use the Conejos County Land Use Special Use Review process to solicit / facilitate public comment. EnergySolutions contends that the transload facility is a shipping operation and as such is permitted under the jurisdiction of Conejos County should be permitted under the Administrative Review process. EnergySolutions understands that it is Conejos County's contention that the proposed operation is a Solid Waste Transfer facility and would therefore be subject to permitting under the Special Use Review process. EnergySolutions does not waive, release, or otherwise relinquish any land use right or other legal right that EnergySolutions may already have or may obtain. San Luis & Rio Grande Railroad Company (the "Railroad") delivered to the County a legal "Opinion Letter" explaining that federal law preempts local land use ordinances and allows the Railroad to conduct transloading operations at the site without consent or permits from the County. EnergySolutions does not waive its right to accept the Railroad's services in order to meet its contractual obligations. However, EnergySolutions files this Application because (a) EnergySolutions prefers to work cooperatively with local communities; (b) EnergySolutions prefers to conduct the transloading operations itself; and (c) EnergySolutions believes transloading operations*

*managed by a direct, cooperative relationship between the County and EnergySolutions is in the best interest of EnergySolutions and the County.*

*To this end, EnergySolutions proposes a set of conditions, concessions that it feels addresses the concerns that the officials and public of Conejos County have raised (Attachment A). Many of these are concessions that would not otherwise be offered / required under local or federal permits or authorizations.*

EnergySolutions permit application was deemed complete by the Conejos County Land Use Administrator on September 9, 2010 (refer to Attachment 3). A public meeting with the Conejos County Planning Commission was subsequently held on September 29, 2010. During the meeting, the Planning Commission voted to recommend that the County Commissioners deny approval of the application. The Planning Commission did not provide any justification for their recommendation to deny the permit application nor did they provide any information regarding which part of the Code was not satisfied with the permit application. EnergySolutions has requested that the Planning Commission provide written justification for their recommendation to deny the application.

The County Commissioners public meeting is scheduled for November 4, 2010. During this meeting, the County Commissioners will discuss the Planning Commission's recommendation and will vote on whether to 1) approve the permit application as submitted, 2) approve the permit application with additional conditions, or 3) deny the application.

#### Conejos County Land Use Code

EnergySolutions contends that the Conejos County Land Use process has been unreasonably enforced and inaccurately applied to the truck-to-rail transload facility. EnergySolutions' position is that the transload operations are part of a transportation activity and not a "Solid Waste Transfer Facility" as defined in the Conejos County Land Use Code (Code). The meaning of "Solid Waste Transfer Facility" is well established in state law and municipality ordinances and does not include facilities like the proposed transload facility. The term "Solid Waste Transfer Facility" is consistently and historically used to describe the collection, management and disposal of municipal waste and related waste streams.

The truck-to-rail transload facility is most accurately classified as an "Industrial Facility" defined in the Code where packaged materials that have been manifested to an ultimate destination are transferred from one mode of transportation to another. In this case, the packaged materials are transferred from highway transport to rail transport. This is a 'through shipment process' whereby the bill of lading identifies the origin of the shipment and the ultimate destination of the shipment. The containers remain "in-transit" as a manifested shipment during transload operations.



Section 2.100 of the Code defines an "Industrial Facility or Activity" as follows:

**"Manufacturing, fabrication, machining, industrial storage, processing and shipping facilities; mineral processing, concrete or asphalt batch plants and similar activities or uses and commonly known as industrial in nature."**

From this definition it is abundantly clear that 'shipping facilities' are industrial facilities and industrial activities. This is unambiguous and well defined.

The "Table of Land Use" contained in Section 4.300 of Conejos County Land Use Code very clearly indicates that the use of an "Industrial Facility or Activity" within and area that is zoned for industrial use, requires an Administrative Review for a Land Use Permit.

The transloading facility falls correctly within the definition of an "Industrial Facility or Activity". The intended shipping operations are in no manner associated with or could be construed as a "Solid Waste Transfer Facility".

In summary, EnergySolutions has worked diligently with the railroad, DOE, and local community stakeholders in addressing concerns. EnergySolutions worked with the County commissioners in developing a Settlement Agreement that was subsequently rejected by the same commissioners that help to develop the agreement. Even though not required by law or regulation, EnergySolutions has also submitted a Special Use Review application for a Land Use Permit at the request of the local community that was subsequently denied by the Conejos County Planning Commission.

The current DOE Orders and DOT regulations govern the safe and compliant management of the waste shipments to protect the public and the environment. Until EnergySolutions decides to resume transloading operations at the truck-to-rail transload facility under the Railroad's authorization, the waste shipments will continue to be trucked through Colorado to its Clive disposal facility in Utah. EnergySolutions maintains that a much safer transportation option exists by transloading the waste shipments from truck to rail at the transload facility in Conejos County, Colorado.

EnergySolutions is an internationally recognized nuclear waste management services company that has built its reputation on the safe and compliant cleanup of several commercial and government sites. Our safety and compliance record is the foundation of the past, current, and future success of our company.

Pursuant to 28 U.S.C. 1746, I declare and verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed On: October 27, 2010

  
Bret Rogers  
Sr. Vice President  
Technical Services



**Attachment 2  
DOT Compliant Package Certification**

# TEC

Box 1000  
Boston, MA 02111  
(617) 277-2811 Int'l line  
(617) 277-2811 Local  
(617) 277-2811 Fax

## Certificate Of Conformance IP-1 Packaging

[www.tecinc.com](http://www.tecinc.com)

Date: November 6, 2009

PacTec Incorporated certifies that the Flexible Packaging System(s) being supplied to Energy Solutions Utah has been evaluated as meeting the packaging requirements as specified in Title 49, Code of Federal Regulations (CFR), Part 173.410, "General design requirements" and Industrial Packaging Type 1 (IP-1), Part 173.411, Industrial Packagings, section (a), General, and section (b)(1), Industrial packaging certification and tests; when loaded in accordance to PacTec loading instructions and used in the intended manner.

Contract/PO Number:

**008758**

Work Order #:

**48435**

Item Number(s):

**LP855-IP1**

Quantity

**279**

The Flexible Packaging System(s) being furnished is of good quality, in pursuant to industry standard manufacturing practices for Flexible Packaging Systems, including the materials / components used in manufacturing.

**NOTE:** This container is flexible packaging. The internal load and shifting of contents needs to be considered and taken into account by the shipper during transportation. If testing is conducted a uniformly distributed load is used.

Company Official:

*[Signature]*  
Packaging - VP Quality Assurance

Date:

11/6/09



## *Conejos County Land Use Office*

PO. Box 197 • Conejos, CO 81129 • (719) 376-2014 • Fax (719) 376-6769

September 9, 2010

Colin Austin – VP South Operations  
Energy Solutions  
176 Central Park Square  
Los Alamos NM 87544

RE: Special Use Review Application

Dear Colin Austin:

Your application for a Special Use Review has been processed and is deemed complete. After I consult with Steve Atencio, I will let you know if Attachment A is going to part of the submittal.

Please note that the public hearing before the Conejos County Planning Commission is scheduled for Wednesday, September 29, 2010 at 6:45 PM. Your presence is required.

The notices to the surrounding landowners within 500' of the subject property will be mailed no later than Tuesday, September 14, 2010. The notice in the newspaper will be published on 09/11/10 and 09/14/10. I will provide you with a list of the agencies that will be noticed of this public hearing process and the posting of the notice on the subject property is your responsibility. The attached information must be posted on the property no later than Tuesday, September 14, 2010.

I really appreciate the information and the manner in which you submitted your application.

Please contact me by phone or email if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Linda L. DeHansen".

Linda L. DeHansen  
Land Use Administrator

**EXHIBIT B**

**VERIFIED STATEMENT  
OF  
MATTHEW ABBEY**

**My name is Matthew Abbey. I am the General Manager of the San Luis & Rio Grande Railroad ("SLRG") and am the same individual who submitted written testimony appended to our Opening Statement back in August 2010. I have been asked to respond to some items that were incorrectly stated in the filing by Conejos County Clean Water Inc. ("CCCW"), to the Board on October 12, 2010.**

**In their submittal, CCCW spends some time making a case that the SLRG is a reactive organization, and implies that SLRG is unsafe. In fact, the safety records of railroads in general and this railroad in particular are far superior to that of the trucking industry.**

**SLRG's record of accidents and incidents is available on the Federal Railroad Administration ("FRA") website, and was discussed in detail in the meetings. SLRG has invested over \$3 million in track improvements in the past three years. SLRG has a safety management system in place that evaluates the cause of any incident and develops a plan to prevent a recurrence. SLRG carries \$100 million insurance, far more than most shortline railroads, and has contractors on call in**

event of an accident or incident. SLRG informed all parties that in the unlikely event of a spill, SLRG has sufficient insurance and resources to provide a complete cleanup. *EnergySolutions* reviewed SLRG's plans and found them acceptable, or they would not have decided to ship via SLRG.

Railroad safety is well-documented, and SLRG's safety plan is well-documented. This was described to CCCW and the public. It was illustrated through conversation and accident data at multiple public meetings.

CCCW attempts to paint SLRG as a railroad with questionable operating practices. CCCW assumes that we will be mixing passengers with low-level class 7, 9 and unregulated wastes. In fact, mixing occupied passenger cars in a train with hazardous waste, even low level and unregulated waste such as that to be handled at the facility, is not permitted by US Department of Transportation rules. No placarded car can be handled in a train with occupied passenger cars.. We operate by this rule regularly on our Monte Vista line which transports freight and passengers. Our procedure there, when we have a placarded fertilizer car, is to simply operate two separate trains. This was described to the public and CCCW in multiple public meetings.

Our operating practices are called into question using the language "policing". It is difficult to determine what the point of this section of their submittal is. SLRG is "policed" by FRA with respect to track, signals, bridges, grade crossings, train operations, equipment maintenance, drug and alcohol, engineer qualifications, and safety. SLRG "polices" its shipments regularly, daily, and the shipments are well documented through the use of both manual and automated mechanisms. This was described to the public and CCCW in multiple public meetings.

CCCW uses perlite on the tracks to suggest that we cannot "police" our shipments. In fact, that material which exists on the ground at the tracks is a result of decades of perlite shipping from the two major perlite plants located in Conejos County, adjacent to the Transload Facility. We cannot think of a better place for a transload facility than in an industrial railroad shipping district, which this area has been for more than 100 years. This was described to the public and CCCW in multiple public meetings. Perlite, which is a soil additive, is not only on the railroad tracks in Conejos County but is in fact evident in soil within a three-mile radius of the plants. The fact that Conejos County has permitted the distribution of the perlite over such



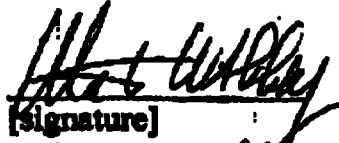
a wide area is an indication of their assent. In fact, prior to the discussion of the new Intermodal Facility, "perlite on the tracks" had never been brought to our attention.

The safety of the bridges is not questionable. In its submittal, CCCW uses perlite and lava rock as a basis for interpreting the weight of the loaded gondolas. This is illogical. The rail line and structures are inspected regularly in accordance with regulations. SLRG Timetable #6 published April 2010 states that the entire SLRG system maximum weight limit is 286,000lbs per car. This includes all system track, bridges, and related structures. This system limit is above the loaded weight of the gondolas. The FRA regularly performs physical inspections of the SLRG, and if there was a deficiency, would require SLRG to repair the structure or trackage. This was described to the public and CCCW in multiple public meetings.

Pursuant to 28 U.S.C. 1746, I declare and verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on:

10/27/10

  
[signature]  
Walter W. Alley

## EXHIBIT B

VERIFIED STATEMENT  
OF  
MATTHEW ABBEY

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CCCW attempts to paint SLRG as a railroad with questionable operating practices. CCCW assumes that we will be mixing passengers with low-level class 7, 9 and unregulated wastes. In fact, mixing occupied passenger cars in a train with hazardous waste, even low level and unregulated waste such as that to be handled at the facility, is not permitted by US Department of Transportation rules. No placarded car can be handled in a train with occupied passenger cars.. We operate by this rule regularly on our Monte Vista line which transports freight and passengers. Our procedure there, when we have a placarded fertilizer car, is to simply operate two separate trains. This was described to the public and CCCW in multiple public meetings.

Our operating practices are called into question using the language "policing". It is difficult to determine what the point of this section of their submittal is. SLRG is "policed" by FRA with respect to track, signals, bridges, grade crossings, train operations, equipment maintenance, drug and alcohol, engineer qualifications, and safety. SLRG "polices" its shipments regularly, daily, and the shipments are well documented through the use of both manual and automated mechanisms. This was described to the public and CCCW in multiple public meetings.

CCCW uses perlite on the tracks to suggest that we cannot "police" our shipments. In fact, that material which exists on the ground at the tracks is a result of decades of perlite shipping from the two major perlite plants located in Conejos County, adjacent to the Transload Facility. We cannot think of a better place for a transload facility than in an industrial railroad shipping district, which this area has been for more than 100 years. This was described to the public and CCCW in multiple public meetings. Perlite, which is a soil additive, is not only on the railroad tracks in Conejos County but is in fact evident in soil within a three-mile radius of the plants. The fact that Conejos County has permitted the distribution of the perlite over such

a wide area is an indication of their assent. In fact, prior to the discussion of the new Intermodal Facility, "perlite on the tracks" had never been brought to our attention.

The safety of the bridges is not questionable. In its submittal, CCCW uses perlite and lava rock as a basis for interpreting the weight of the loaded gondolas. This is illogical. The rail line and structures are inspected regularly in accordance with regulations. SLRG Timetable #6 published April 2010 states that the entire SLRG system maximum weight limit is 286,000lbs per car. This includes all system track, bridges, and related structures. This system limit is above the loaded weight of the gondolas. The FRA regularly performs physical inspections of the SLRG, and if there was a deficiency, would require SLRG to repair the structure or trackage. This was described to the public and CCCW in multiple public meetings.

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Mary R Delgado	Mary R Delgado	P.O. Box 738, Lima, California		10-20-10
Jill Bendon	Jill Bendon	1705 Golden View Dr - S.W.		10/26/10
Katrice Harmon	Katrice Harmon	Hc75 Pox 2501 Chama		10/29/2010
Susan Chase	Susan Chase	P.O. Box 532		10-20-10
Jeff Benson	Jeff Benson	3910 N 84 St. E-11A		11
Grace Myers	Grace Myers	P.O. Box 533 Chama NM		"
Rachel CMA MA	Rachel CMA MA	P.O. Box 3912 Romo 51148		1
Aron D. Fein	Aron D. Fein	P.O. B. 1207 Chama 57520		10-20-10
Lorilyn Sarzale	Lorilyn Sarzale	P.O. Box 64 Chama NM 87520		10-20-10
James Luster	James Luster	Box 884 Chama		10-20-10
Eig. J. J. J. J.	Eig. J. J. J. J.	Box 884 Chama		11
Alida Britt	Alida Britt	P.O. Box 782 Chama		11
Brie Lewis	Brie Lewis	Box 482 Chama, NM		10-20-10
Carmella Long	Carmella Long	P.L. Box 954 Chama		
Gianeto Martinez	Gianeto Martinez	Fiera A. Amalia, Box 10		10-20-10
Darlene Dunn	Darlene Dunn	Box 174 Los Alamos NM		10-20-10
Humberto Chavez	Humberto Chavez	P.O. Box 84 T.A. ALM. 87525		10-20-10
Jessica Wise	Jessica Wise	P.O. Box 752 TA 87525		10-20-10
Shirley M. J. J.	Shirley M. J. J.	P.O. Box 707 Alamogordo		10-20-10
Armeda J. J. J.	Armeda J. J. J.	14 Box 733 Tule Lake		11





# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Ken Bueh	[Signature]	145 Woodland Dr. Pagosa Springs, CO 81417		10-13-10
Charles Edmunds	[Signature]	1414 W. 1st Ave. Pagosa Springs, CO 81417		10-13-10
Walter M. Minter	[Signature]	Box 1307 Durango, CO 81301		
Kenzie Carlier	[Signature]	415 S. Vrain Pl. 301 6/5 10 80204		10-13-10
Eliseo	[Signature]	145 S. Vrain Pl. 301 6/5 10 80204		10-13-10
Melinda Johnson	[Signature]	1117 Grand Cap Ave. Durango, CO 81301		10-13-10
Michaela	[Signature]	375 N. 1st St. Durango, CO 81301		10-13-10
Clare	[Signature]	514 Caddy Cir. Pagosa Springs, CO 81301		10-13-10
Justin Finner	[Signature]	2600 Canyon Cir. Pagosa Springs, CO 81301		10-13-10
Miguel Rodriguez	[Signature]	2600 Canyon Cir. Pagosa Springs, CO 81301		10-13-10
Mike McDonald	[Signature]	2600 Canyon Cir. Pagosa Springs, CO 81301		10-13-10
SA M. KEE	[Signature]	1672 HOBSEY AVE. PS		10-13-10
Bruce Oswald	[Signature]	84 Laguna Pl. Pagosa Springs, CO 81301		10-13-10
Bob Metz	[Signature]	565 N. Pagosa 131st		10-13-10
Robert Allison	[Signature]	326 Pineana Cir		10-13-10
Robert Allison	[Signature]	875 C. R. CO # 11		10-13-10
Sharon Steele	[Signature]	403 Steele		10-13-10
William M. Minter	[Signature]	Pagosa Springs, CO 81301		10-13-10
Ken Bueh	[Signature]	Pagosa Springs, CO 81301		10-13-10

David  
Hall  
Jr

Officer

- Officer

Officer

277  
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Report of the  
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Printed Name	Signature	Address	Comment	Date
Ronald Williams Jr	Ronald Williams Jr	32C Stg 252	new to do	10/17/00
Ray Wright	Ray Wright	Po Box 7000 Norwalk, Conn.	12th Support	10/17/00
Alfred (Conrad)	Alfred	261 Mueller Ln.	Support	10/17/00
W. W. W. W.	W. W. W. W.	1335 Mueller Ln.	Support	10/17/00
Jessie Williams	Jessie Williams	P.O. Box 1161 Dga Co. 81302	Support	10/17/00
Samuel Williams	Samuel Williams	399 Grand Rd 201 B 81303	Support	10/17/00
Byron Taylor	Byron Taylor	12 Timber Dr	Support	10/17/00
Lowell Taylor	Lowell Taylor	12 Timber Dr	Support	10/17/00
Steven R. B. H.	Steven R. B. H.	High 10 & CCR L. Jma	Support	10/18-10

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

*Richard Henry*  
10-17-10

Printed Name	Signature	Address	Comment	Date
Thomson	<i>Thomson</i>	116 J Overland Dr. F.O.	Good Luck	10-17-10
Paul E. Anderson	<i>Paul E. Anderson</i>	3765 CO Rd 141 Ft. Lupton CO	Good Job	10-17-10
Lesley Adams	<i>Lesley Adams</i>	77 Choke Cherry Cir	good idea	10-17-10
Matt Anderson	<i>Matt Anderson</i>	1836 E. Rd 230	" "	10-17-10
Valerie Mitchell	<i>Valerie Mitchell</i>	P.O. Box 1854 Ignacio CO	agreed	10-17-10
Mike Mitchell	<i>Mike Mitchell</i>	" "	" "	10-17-10
Sharon Young	<i>Sharon Young</i>	4244, Wm	" "	10-17-10
Danielle Young	<i>Danielle Young</i>	Aztec, NM	We need safer Alternatives	10-17-10
Phil Odell	<i>Phil Odell</i>	1783 Silver Lake Blvd. Silver Lake AZ	" "	10-17-10
Kathleen Casto	<i>Kathleen Casto</i>	1763 Silver Lake Blvd. Silver Lake AZ	" "	10-17-10
Colin	<i>Colin</i>	11	" "	10-17-10
Tammy Johnson	<i>Tammy Johnson</i>	Robert Road	Longmont, CO	10-17-10
Sharon Holland	<i>Sharon Holland</i>	1295 S. Grand St. Silver Lake AZ	" "	10-17-10
Ashley Fernandez	<i>Ashley Fernandez</i>	6000 CE 208 #21 Durango CO	" "	10-17-10
Raul Fernandez	<i>Raul Fernandez</i>	" "	" "	10-17-10
David Holvick	<i>David Holvick</i>	1225 Southwest Exchange Ave. Durango CO	Good Idea	10-17-10
Beaton Bell	<i>Beaton Bell</i>	316 W. Jackson Lane	Great Idea	10-17-10
Rickie McElbert	<i>Rickie McElbert</i>	2000 S. 1st St. Durango CO	Thats Great	10-17-10
Sheryl Eklund	<i>Sheryl Eklund</i>	Box 3 Hesperus CO	" "	10-17-10
John DeGennaro	<i>John DeGennaro</i>	916 CE 212 Durango CO	" "	10-17-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Andy Hogg		1815 Forest Ave		10/11/16
Nike V. Hogg		422 Honda Rd.	I like this	10/11/16
Richard Curtis		3007 CE 223		10/11/16
MARY CURTIS		" " "	Good Luck!	10/17
Jodie House		218 Sun Moritz		10/17
Mandi Reid				10/17
Bony Altemert		1079 CR 220.	Good Luck	10/17
Gregg Macdon		1488 5000 Suite C	Good Luck	10/17
Andy Hogg		23190 Hwy 140		10/17
Nathalie Treanor		2100 E. Blanca Sp15	This is a great cause	10/17/16
Tiffany Valencia		1398 corner of Bayfield	Good Luck	10/17/16
Michael		52 Brown Lake Rd	"	10/17/16
Anna Goss		52 Browns Lake Rd	"	10-17-16
Garth W. Hogg		PO Box 443 Durango	Great Luck	10-17-16
Deall Hogg		4125 CE 226 Bayfield	Good Luck!	10-17-16
Laura LaRue		211 Doe Road Bayfield	Good Luck	10-17-16
Bonnie M. Hogg		43 Sunset Mountain St Durango	Good Luck	10-17-16
Franklin Gail		7386 CR 23 Durango	Good Luck	10-17-16
Dana Foster		190 E 7th Ave Durango	Good Luck	10-17-16
Tyler Villenas		379 N E Circle Durango	"	10/17/16

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

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Printed Name	Signature	Address	Comment	Date
Margaret Smith		Durango, CO	Good job!	10-11-10
Pauline Smith		Durango, CO	-	10-16-10
Marion Rossi		Durango, CO	Good work!	10-16-10
Sally Kaman		Durango, CO	Good work!	10-16-10
Frank Towner		Durango, CO	-	10-16-10
Laura Blarney		Durango, CO	-	10-16-10
Adrian Parker		Durango, CO	-	10-16-10
Hannah Burt-Villar		Durango, CO	Seemed like a interesting thing	10-16-10
Frederick Landolph		Durango, CO	-	10-16-10
Kyle Holden		Farmington, NM	Seemed like good plan	10-16-10
Christina Hahn		Farmington, NM	-	10-16-10
Rebecca Williams		Durango, CO	-	10-16-10
Chris Encke		Hillside, Colorado	Great job	10-16-10
Renee Williams		Durango, CO	-	10-16-10
Lamarcel Williams		Durango, CO	Very good!	10-16-10
Amber Williams		Durango, CO	Good	10-16-10
Kelly Wenzel		Durango, CO	Important	10-16-10
Jim Meyer		Durango, CO	Necessity	10-16-10
Carol Smith		Farmington	Good	10-16-10
Yvonne Smith		Farmington	-	10-16-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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*Patricia H. Hargis*

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Printed Name	Signature	Address	Comment	Date
Joseph Herrera	<i>Joseph Herrera</i>	1405 - Durango CO	Good -	10/16/10
Kim Lohman	<i>Kim Lohman</i>	Alamosa, CO	Excellent	10/16/10
John Smith	<i>John Smith</i>	2719 New Mexico Ave	Excellent	10/16/10
Ernest Snodder	<i>Ernest Snodder</i>	131 N. Pineda St Durango	Good	10/16/10
All Snodder	<i>All Snodder</i>	"	"	10/16/10
Loe Cos	<i>Loe Cos</i>	602 Hooper St -	Excellent	10/16/10
Kate Simons	<i>Kate Simons</i>	1468 E 3rd Ave Durango	help protect workers env.	10/16/10
Libby DeLeon	<i>Libby DeLeon</i>	2229 S.R. 5th Durango	Good	10/16/10
Michael Bares	<i>Michael Bares</i>	2134 Hwy 160 N #59	Excellent	10/16/10
Luiz Bez	<i>Luiz Bez</i>	714 Lope de Bayfield Co	Excellent	10/16/10
Alissa Miller	<i>Alissa Miller</i>	"	Excellent	10/16/10
Benig Lofgren	<i>Benig Lofgren</i>	4928 Silver Feather Cir.	Great	10/16/10
Don Smith	<i>Don Smith</i>	435 Red 2nd St	Good	10/16/10
John DeLeon	<i>John DeLeon</i>	1811 N. Durango	Good	10/16/10
John Smith	<i>John Smith</i>	2095 S. Durango	Good	10/16/10
Steve Tait	<i>Steve Tait</i>	127 Grandview Durango	Good	10/16/10
Flora Tait	<i>Flora Tait</i>	132 Hilltop Durango	Good	10/16/10
Marina Prieto	<i>Marina Prieto</i>	Durango	Good	10/16/10
Todd Overbye	<i>Todd Overbye</i>	Durango	Good	10/16/10



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 353388

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Printed Name	Signature	Address	Comment	Date
SMATT Course	<i>Smatt Course</i>	414 E 32nd	great idea	10/16/2008
<del>John Clive</del>	<del>John Clive</del>		good idea	10/16
Lorraine Austin	<i>Lorraine Austin</i>		"	10/16
Colby Krosby	<i>Colby Krosby</i>		good idea	10/16
Lucy Schmitt	<i>Lucy Schmitt</i>		"	10/16
Jennifer Mower	<i>Jennifer Mower</i>		good idea	10/16
Margaret Kennedy	<i>Margaret Kennedy</i>		good idea	10/16
Stella Cox	<i>Stella Cox</i>		good idea	10/16/10
Heather Matney	<i>Heather Matney</i>			10/16/10
Helen Matney	<i>Helen Matney</i>			10/16/10
Harold Lopez	<i>Harold Lopez</i>	Durango Colo.	please approve	10-16-10
Harold Lopez	<i>Harold Lopez</i>	Arbols, Co		10/16/10
Danue Johnson	<i>Danue Johnson</i>		good idea	10-16-10
Eli Chavez	<i>Eli Chavez</i>		great idea	10-16-10
JAY LANCASHA	<i>JAY LANCASHA</i>	443 CR 223		10-16-10
Gerden Baxter	<i>Gerden Baxter</i>	288 Arizona Road Durango	great idea	10-16-10
Nick Davis	<i>Nick Davis</i>	1601 W 3rd Ave	"	10-16-10
Thomas Hall	<i>Thomas Hall</i>	Durango	✓	10/16/10
Mike Miller	<i>Mike Miller</i>		✓	10/16/10

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Printed Name	Signature	Address	Comment	Date
JENNIFER KERRIS		DURANGO, CO 81301		10-15-10
Ryan Hinkle		DURANGO, CO 81301		10-15-10
Y. PELL		400 Duffie		10-15-10
Janie Jones		Durango, CO		10-15-10
Anne Runnells		Durango		10-15-10
Michelle Smead		Durango		10-15-10
NICKI DRAKE		Durango		10-15-10
SARAH JONES		Durango		10-15-10
ELAINE BAIRD		Durango		10-15-10
GREGORY SMITH		Durango		10-15-10
JANE SMITH		Durango		10-15-10
LAVIS CLARK		Durango		10-15-10
ANNA DELGADO		Durango		10-15-10
Debra Price		Durango		10-15-10
Cathy Viera		Durango, NM		10-15-10
Reynold W. Hinkle		Durango, CO		10-15-10
CHARLES STEPHENSON		Durango, CO		10-15-10
Charles D. Hinkle		Durango, CO		10-15-10
Angela Smith		Durango, CO		10-15-10
Joe Hinkle		Durango, CO		10-15-10

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*Patricia Thompson*  
Pg 4

Printed Name	Signature	Address	Comment	Date
Madeline Andoe	<i>Madeline Andoe</i>	702 E 8TH Ave Durango	81301	10/10/10
Stacy Sanchez	<i>Stacy Sanchez</i>	Durango CO	81301	10/11/10
Jack Conner	<i>Jack Conner</i>	Durango, CO	81301	10/11/10
Brian Stanford	<i>Brian Stanford</i>	Durango, CO	81301	10/11/10
Spencer Lohle	<i>Spencer Lohle</i>	Durango, CO	81301	10-15-10
Ben Loria	<i>Ben Loria</i>	Durango, CO	81301	10/15/10
Shonda Bales	<i>Shonda Bales</i>	Durango, CO	81301	10/15/10
Liz Dettre	<i>Liz Dettre</i>	Durango, CO	81122	10/11/10
Karen Dunslick	<i>Karen Dunslick</i>	Arroyo, CO	80004	10/15/10
Michael Dunslick	<i>Michael Dunslick</i>	Arroyo, CO	81301	10/15/10
Steve Norchart	<i>Steve Norchart</i>	Arroyo, CO	81301	10/15/10
Joe Hendrix	<i>Joe Hendrix</i>	Arroyo, CO	81301	10-15-10
Erica Kinnear	<i>Erica Kinnear</i>	Arroyo, CO	81301	10/15/10
Tammy Leibel	<i>Tammy Leibel</i>	Arroyo, CO	81301	10/15/10
Kunda Wylatt	<i>Kunda Wylatt</i>	Arroyo, CO	81122	10-15-10
Sara Walsh	<i>Sara Walsh</i>	Arroyo, CO	81301	10-15-10
Mike Smith	<i>Mike Smith</i>	Arroyo, CO	81301	10-15-10
Toni Jones	<i>Toni Jones</i>	Arroyo, CO	81301	10-15-10
Sevgi Cengel	<i>Sevgi Cengel</i>	Arroyo, CO	81301	10-15-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
- Whereas, the San Luis and Rio Grande Railroad has established a transload facility in a low density part of Conejos County, CO, and
- Whereas Conejos County, CO is opposing the right of the Railroad to operate a transload facility, and
- Whereas this opposition by Conejos County has forced continued truck shipments of radioactive waste between LANL and Clive, UT through the following communities: Carson National Forest, San Juan National Forest, Abiquiu, Cebolilla, Tierra Amarilla, Brazos, Chama, Chrono, Pagosa Springs, Nutria, Piedra, Bayfield, Gem Village, Grandview, Durango, Hesperus, Mancos, Cortez, Lewis, Yellow Jacket, Pleasant View, Calhoun, Dove Creek, Monticello UT, La Sal Junction, Moab, Crescent Junction, Wellington, Price, Helper, Martin, Colton, Soldier Summit, Spanish Fork, American Fork, Lethi, South Jordan

We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

[illegible]

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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- Whereas rail transportation is environmentally friendlier than truck transportation, and
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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address #	Comment	Date
Robert Bell	[Signature]	1614 1/2 West Springs		10/14/10
Kim Hopkins	[Signature]	PO Box 1413		10/14/10
Jane Elizabeth	[Signature]	226 Ridge		10/14/10
POLO	[Signature]	771 NIX 100		10/14/10
Caroline	[Signature]	PO Box 1413		10/14/10
DARLENE BURNS	[Signature]	P.O. Box 262		10/14/10
Donnie Kern	[Signature]	1007		10/14/10
DAVID SORBY	[Signature]	PO Box 1714		10/14/10
Steve Sorey	[Signature]			10/14/10
JOHN SEWERTS	[Signature]	PO Box 4657		10/14/10
JOE SHIMAN	[Signature]	PO Box 4657		10/14/10
MARGARET KIDDER	[Signature]	PO Box 5755		10/14/10
SILVIA DEHUSSE	[Signature]	PO Box 59		10/14/10
Trish Ford	[Signature]	153 Cuddy Circle		10/14/10
Kim Grogg	[Signature]	PO Box 5755		10/14/10
Phyllis Grogg	[Signature]	PO Box 5755		10/14/10
Louis Da...	[Signature]	222 Simmons Dr.		10/14/10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
- Whereas, the San Luis and Rio Grande Railroad has established a transload facility in a low density part of Conejos County, CO, and
- Whereas Conejos County, CO is opposing the right of the Railroad to operate a transload facility, and

Whereas this opposition by Conejos County has forced continued truck shipments of radioactive waste between LANL and Clive, UT through the following communities: Carson National Forest, San Juan National Forest, Abiquiu, Cebolla, Tierra Amarilla, Brazos, Chama, Chromo, Pagosa Springs, Nutria, Piedra, Bayfield, Gen Village, Grandview, Durango, Hesperus, Mancos, Cortez, Lewis, Yellow Jacket, Pleasant View, Calhoun, Dove Creek, Monticello UT, La Sal Junction, Moab, Crescent Junction, Wellington, Price, Helper, Martin, Cotton, Soldier Summit, Spanish Fork, American Fork, Lehi, South Jordan

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Printed Name	Signature	Address	Comment	Date
Myra Mae Morris	<i>[Signature]</i>	21 W. 6th St		10-17-10
Myra Mae Morris	<i>[Signature]</i>	149 1/2 W. 6th St		10-14-10
Debra Ann	<i>[Signature]</i>	PO Box 1463		10-14-10
James J. Blaney	<i>[Signature]</i>	370 1st St		10-14-10
Chad's Landscaping	<i>[Signature]</i>	PO Box 444		10-14-10
Tim Harfel	<i>[Signature]</i>	PO Box 444		10-14-10
Maric Lockhart	<i>[Signature]</i>	1541 CR 500		10-14-10
Fred Wetling	<i>[Signature]</i>	422 Durango Dr		10-14-10
Bill Dunn	<i>[Signature]</i>	1050 Durango Dr		10-14-10
Elizabeth	<i>[Signature]</i>	144 Third St		10-14-10
David & Barbara	<i>[Signature]</i>	PO Box 444		10-14-10
DEAN MILLER	<i>[Signature]</i>	PO Box 444		10-14-10
Jeffrey Payne	<i>[Signature]</i>	567 1st St		10-14-10
David & Barbara	<i>[Signature]</i>	PO Box 444		10-14-10
Clarence	<i>[Signature]</i>	PO Box 444		10-14-10
Tricia S.	<i>[Signature]</i>	233 Talisman Dr.		10-14-10
Curie YACER	<i>[Signature]</i>	431 1st St		10-14-10
Shane D. Keen	<i>[Signature]</i>	742 Prospect St		10-14-10
Jaqueline Pearson	<i>[Signature]</i>	610 S. 9th St		10-14-10
CD Singer	<i>[Signature]</i>	PO Box 444		10-14-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Maria C. Martinez	Maria C. Martinez	P.O. Box 641 El Prado NM 87539	We need jobs!!	10-11-10
Conrado Llamas	Conrado Llamas	P.O. Box 333 Abiquiu, Co	Spraying fields OK?	10-11-10
Arthur Lopez	Arthur Lopez	P.O. Box 1399 Abiquiu, Co	" "	10-19-10
Cheryl Williams	Cheryl Williams	P.O. Box 112 Fort Smith	" "	10-19-10
Pete Llamas	Pete Llamas	P.O. Box 323 Abiquiu, Co	Need Jobs	10-19-10
Alex Rivas	Alex Rivas	" " " 436 " "	Need Jobs	10-19-10
John T. Martinez	John T. Martinez	P.O. Box 574	" "	10-19-10
Louisa Martinez	Louisa Martinez	P.O. Box 122	Need Jobs	10-19-10
Glenn Smith	Glenn Smith	P.O. Box 422	" "	10-19-10
John Rivas	John Rivas	P.O. Box 312	" "	10-19-10
Judy Groff	Judy Groff	P.O. Box 264	Very Safe! Need Job	10-19-10
Aracelis Gonzalez	Aracelis Gonzalez	P.O. Box 264	" "	10-19-10
Harold R. Rivas	Harold R. Rivas	P.O. Box 239	Homeless - Danger	10-19-10
David Rivas	David Rivas	P.O. Box 473	Need Jobs	10-19-10
Johnny Martinez	Johnny Martinez	P.O. Box 11	" "	10-19-10
John Rivas	John Rivas	P.O. Box 216	" "	10-19-10
Doreen Martinez	Doreen Martinez	P.O. Box 336	Need Jobs	10-19-10
Tommy Martinez	Tommy Martinez	P.O. Box 203	" "	10-19-10









# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

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Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Jose M. Rodriguez	[Signature]	La Parra, CO		10/21/10
William C. [unclear]	[Signature]	4289 Quail Rd D, S. Pueblo, CO		10/21/10
Sharon [unclear]	[Signature]	PO Box 535 Montross CO 81411		10/21/10
Edith [unclear]	[Signature]	34 N. [unclear]		10/22/10
[unclear]	[Signature]	Box 228 La Parra, CO 81054		10/22/10
[unclear]	[Signature]	Box 244 N. S. [unclear]		10/22/10
John [unclear]	[Signature]	411 N. S. [unclear]		10/23/10
Robert [unclear]	[Signature]	14593 Hwy 142 [unclear]		10/22/10
Wanda [unclear]	[Signature]	Box 33 [unclear]		10/22/10
[unclear]	[Signature]	15171 [unclear]		10-22-10
Felisha [unclear]	[Signature]	419 Peterson St. 81141		10-22-10
Sam [unclear]	[Signature]	135 S 10th St [unclear]		10-22-10
Rebecca [unclear]	[Signature]	PO Box 272 Montross CO 81411		10-22-10
Kyle [unclear]	[Signature]	P.O. Box 184 [unclear]		10-22-10
Margaret [unclear]	[Signature]	9415 St. Mary St. La Parra CO 81054		10-22-10
[unclear]	[Signature]	7400 St. Mary St. La Parra CO 81054		10-22-10
Michael [unclear]	[Signature]	20088 Chaparral Dr. La Parra CO 81054		10-22-10
Debbie [unclear]	[Signature]	46 Box 374 La Parra		10-22-10
Jimmy [unclear]	[Signature]	Box 374 La Parra		10-22-10
Jacob [unclear]	[Signature]	Box 575 La Parra		10-22-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Brenda Kousen	Brenda Kousen	Capulin CO 81124		10/22/10
Tiffany Hespicio	Tiffany Hespicio	Capulin CO 81124		10/22/10
Crystal Wadsworth	Crystal Wadsworth	Capulin CO 81124		10/22/10
Shirley Williams	Shirley Williams	Capulin CO 81124		10-22-10
Carol J. Jones	Carol J. Jones	Capulin CO. 81151		10-22-10
Steve M. Mowbray	Steve M. Mowbray	5th second Isadora 81140	La, men 81140	10-22-10
Karina Sanchez	Karina Sanchez	Capulin CO. 81131		10-22-10
Stephanie Lopez	Stephanie Lopez	LaSara CO 81140		10-22-10
Donna Mae	Donna Mae	Capulin CO 81151		10-22-10
Brenda B. B. B.	Brenda B. B. B.	Capulin CO 81120		10-22-10
Laurel D. D. D.	Laurel D. D. D.	Capulin CO 81124		10-22-10

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Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
LASHA WATKINS	[Signature]	830 7TH ST SANTE		10/21/10
ESAH SILVA	[Signature]	2009 ANGEL PL LAJUNTA		10/21/10
DEBBY WIDGER	[Signature]	LAJUNTA		10/21/10
FRANK KREBS	[Signature]	SANFORD, CO		10/21/10
VINYL MONTE	[Signature]	ANTHONY CO 81122		10/21/10
ERNEST MARTINEZ	[Signature]	ANTHONY CO 81122		10/21/10
MARINO GARCIA	[Signature]	510 PINE HATTON CO		10/21/10
ROBERT GARCIA	[Signature]	SANFORD, CO		10/21/10
BANDERUZZO JOSEPH	[Signature]	PO BOX 320 LAJUNTA, CO		10/21/10
STANLEY MEDINA	[Signature]	PO BOX 211 CAPALINE		10-21-10
JOSEF BILLAGS	[Signature]	PO BOX 372 LAJUNTA CO		10-21-10
JUAN GARCIA	[Signature]	P.O. Box 400 La Junta		10-21-10
VALERIE KORNEN	[Signature]	P.O. Box 372 WELLSFORD		10/21/10
KILBI GARCIA	[Signature]	11638 LAJUNTA RD LAJUNTA, CO		10/21/10
SAUL KORNEN	[Signature]	11438 RD 140 LAJUNTA CO 81122		10-21-10
VERONICA MEDINA	[Signature]	20499 E 11th LAJUNTA, CO 81122		10-21-10
LINDA LERGL	[Signature]	20342 W 11th LAJUNTA, CO 81122		10-21-10
VERONICA GARCIA	[Signature]	MANANCA CO.		10-21-10
FRANCISCO ANDRADA	[Signature]	MANANCA CO.		10-21-10
FRANCIS A. RAMIREZ	[Signature]	LAJUNTA CO.		10-21-10



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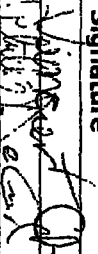
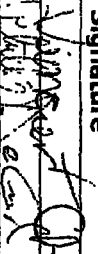
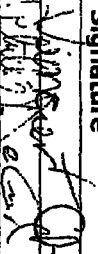
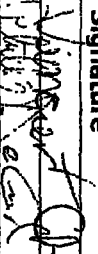
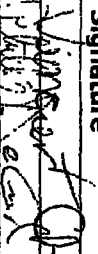
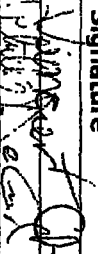
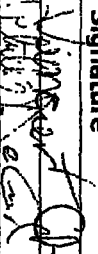
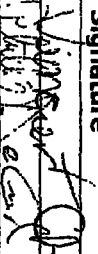
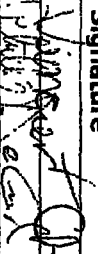
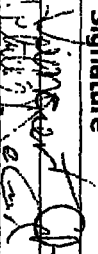
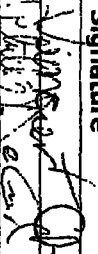
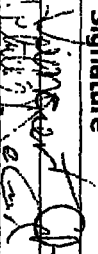
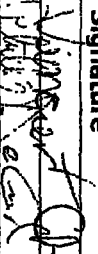
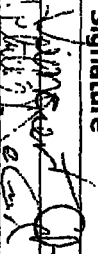
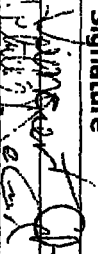
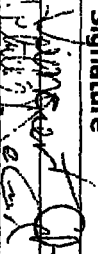
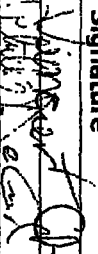
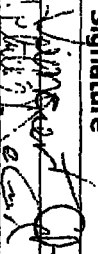
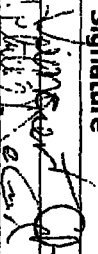
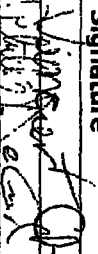
Printed Name	Signature	Address	Comment	Date
Anthony P. Aaron	[Signature]	115 West 11th Ave Aurora, Co 80019	Better or no less	10-19-2010
Tony Velazquez	[Signature]	16620 Cold Gables	Better by Rail	10-19-2010
Gabriel Martinez	[Signature]	5949 Sunny Rd D-5 Aurora, CO	Better by Rail	10-19-2010
Melissa Morris	[Signature]	11991 City Rd W Aurora	Better by Rail	10-19-2010
Ronald Martinez	[Signature]	14059 C St Aurora	Better by Rail	10-19-2010
Andrew Guadalupe	[Signature]	1043 Rivera St.	Better by Rail	10-19-2010
Sarah Robinson	[Signature]	2472 South St 108	Better by Rail	10-19-2010
Ramona Garcia	[Signature]	7277 Hwy 285, Aurora, CO	Better by Rail	10-21-2010
Carlos Garcia	[Signature]	7277 Highway 285, Aurora, CO	Better by Rail	10-21-2010
Tom Cauder	[Signature]	8729 City Rd Aurora, CO	Better by Rail	10-21-2010
Judy Madala	[Signature]	10599 City Rd Q	Better by Rail	10-21-2010
Jody Martin	[Signature]	16589 City Rd A	Better by Rail	10-21-2010
Hilda Madrid	[Signature]	16750 CR H	Better by Rail	10-21-2010
Amanda Sales	[Signature]	602 STHS ST.	Better by Rail	10-21-2010
Alicia [unclear]	[Signature]	602 Main St	Better by Rail	10-21-2010
[unclear]	[Signature]	12137 S Hwy 285 Aurora	Better by Rail	10-21-2010
Rita Torres	[Signature]	103 S Hwy 57 Aurora, CO	Better by Rail	10-21-2010
Nancy L. Jackson	[Signature]	103 Aspen St Aurora, CO	Better by Rail	10-21-2010
Gabriela Ayala	[Signature]	360 Stans	Better by Rail	10-21-2010

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
- Whereas, the San Luis and Rio Grande Railroad has established a transload facility in a low density part of Conejos County, CO, and
- Whereas Conejos County, CO is opposing the right of the Railroad to operate a transload facility, and
- Whereas this opposition by Conejos County has forced continued truck shipments of radioactive waste between LANL and Clive, UT through the following communities: Carson National Forest, San Juan National Forest, Abiquiu, Cebolla, Tierra Amarilla, Brazos, Chama, Chromo, Pagosa Springs, Nurtia, Piedra, Rayfield, Gem Village, Grandview, Durango, Hesperus, Mancos, Cortez, Lewis, Yellow Jacket, Pleasant View, Cahone, Dove Creek, Monticello UT, La Sal Junction, Moab, Crescent Junction, Wellington, Price, Helper, Martin, Colton, Soldier Summit, Spanish Fork, American Fork, Lehi, South Jordan

We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Vincent Chavira		218 Edgmont St. Bonco		10/23/10
Phillip DeCoud		218 Edgmont Blvd.		10/22/10
Terrence Martin		208 Edgmont Blvd.		10/22/10
Duke R. d		208 Edgmont Blvd		10/22/10
Theron McNamee		208 EDGMENT BLVD.		10/22
Core Alford		208 Edgmont Blvd		10/22/10
Amber Louther		208 Edgmont Blvd		10/22/10
Alfredo Euston		208 Edgmont Blvd		10/22/10
Samuel Pinner		315 Smith St		10/22/10
Eric Grech		208 Edgmont Blvd		10/22/10
Matt Sanders		208 Edgmont Blvd		10/22/10
Steven Masty		208 Edgmont Blvd		10/22/10
Shirley Gonzalez		208 Edgmont Blvd		10/22/10
Jessy Ames		208 Edgmont Blvd		10/22/10
Joe Folcare		208 Edgmont Blvd		10/22/10
Daniel Kelly		12816 S. Silver Plumest		10/22/10
Robert Rivera		208 Edgmont Blvd		10/22/10
Stenda Borrego		208 Edgmont Blvd		10/22/10
Amelia Gordon		208 Edgmont Blvd		10/22/10
Julio Estin		208 Edgmont Blvd		10/22/10



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

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Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Ainslie Child		208 Edgemont Blvd		10-22-10
Henry Kreyer		208 Edgemont Blvd		10-22-10
Joseph Lopez		208 Edgemont Blvd		10-22-10
Justin Lades		208 Edgemont Blvd		10-22-10
John Rader		208 Edgemont Blvd		10-22-10
Se Chukwula		208 Edgemont Blvd		10-22-10
Steven Chuma		208 Edgemont Blvd		10-22-10
Yareli Melan		Box Adams 104		10-22-10
Thomas Keller		Box Adams 1236		10-22-10
Micaela Hoeft		Box Adams 144	Save the Railroad!	10-22-10
Letitia Spencer		Box Adams 345		10-22-10
Terence DeHern		P.O. Box 656 Comco	Save the Railroad!	10-22-10
Tara Lomana		P.O. Box 148 La Jara	Save the Railroad!	10-22-10
Melissa Squires		7131 Otter Ct		10-25-10
Mindy Badrock		1106445 Hwy 130		10-25-10
Christina Dyer		3840 El Comodo Drive	April	10-25-10
Dees Eagon		708 Edgemont Blvd		10-25-10
Tyler Pruitt		208 Edgemont Blvd		10-25-10
Ralph Rupp		208 Edgemont Blvd	HELL YEAH	10-25-10
Carlos Casador		208 Edgemont Blvd	HELL YEAH	10-25-10

...  
L...

Albert Johnson Ward 208 Edgmont Blvd.

Mr Riper 208 Edgmont Blvd.

Anthony Wilmer 208 Edgmont Blvd.

Cathy Hemick 208 Edgmont Blvd.

~~Errika~~ ~~Arzavilla~~

208 Edgmont Blvd

Errika blue

208 Edgmont Blvd

Kayla Riehl

208 Edgmont Blvd

Stephanie Dunham

208 Edgmont Blvd

Christa Bates

208 Edgmont Blvd

Aaron Garcia

208 Edgmont Blvd

Travis Ward

208 Edgmont Blvd

Janis Stabler

208 Edgmont Blvd

Deborah Smith 104-11111111

208 Edgmont Blvd

~~Heidi~~

Mike Miller 208 Edgmont Blvd

Chase Bostic 11

Lauren Knight 208 Edgmont Blvd

Robert Helmerick 208 Edgmont Blvd

Jason Skatman 208 Edgmont Blvd

10/24/10

10/24/10

10/24/10

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10-24-10

Dand G. Hines

~~Jeff~~

208 Edgemont Blvd

10/24/10<sup>30</sup>

Jeff Martin

75 Giralto

10/24/10

Samantha Johnson

208 Edgemont

10/24/10

Hayla Shupe

208 Edgemont

10/24/10

Rae

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

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**We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.**

Printed Name	Signature	Address	Comment	Date
JAMES TRAJILLO	[Signature]	E6 El Camino De Alamosa		10/19/10
KINDRA LAMBERT	[Signature]	1108 Main Street Alamosa		10/14/10
Helen Bertram	[Signature]	708 Murphy Dr Alamosa		10/19/10
Ramona Stokoe	Ramona Stokoe	1341 Abasco Road Montefloras		10/19/10
Darrell Lewis	[Signature]	1023 Goodwin Ave. Alamosa		10/17/10
Zachary Lewis	[Signature]	2309 Thomas Avenue		10/20/10
Tyson Lambart	[Signature]	15 River Dr. Alamosa		10/20/10
Dennis Nazario	[Signature]	7 Myren Way, La Jara		10/20/10
Peter West	[Signature]	9ile Weber et Alamosa		10/20/10
		2412 Ford Alamosa		10/25/10

Regarding STB Finance Docket # 35388

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[illegible]

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility A17

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Bob Trevino	[Signature]	P.O. Box 223 Blanca		10/19/2010
Alisa Bromfield	[Signature]	P.O. Box 233 Blanca		10/19/2010
E. A. Spandace	[Signature]	P.O. Box 36 Blanca		10/19/10
Linda Carter	[Signature]	P.O. Box 194 Ft. Garland		10/19/10
Margaret Roybal	[Signature]	Box 5 Blanca Co		10/19/10
Phyllis Smith	[Signature]	Box 6 Blanca		10/19/10
Veronica Spelling	[Signature]	623 main st Blanca		10-19-10
Paul Teitel	[Signature]	P.O. Box 38 Blanca		10-19-10
Nikita Stanley	[Signature]	P.O. Box 54 Blanca		10-19-10
Kod Clause	[Signature]	5280 Corn St Rd Blanca		10-19-10
John Adams	[Signature]	P.O. Box 65 Ft. Garland		10-19-10
Alice Smith	[Signature]	P.O. Box 341 Blanca CO		10-20-10
Sandra Muldare	[Signature]	P.O. Box 56 Ft. Garland CO		10-20-10
Ernestine Alcala	[Signature]	Box 157 Ft. Garland		10-20-10
Heleen Stoll	[Signature]	P.O. Box 1246 Chama		10/20/10
Roger A. Martinez	[Signature]	P.O. Box 437 Dulce		10-20-10
Carlynn Marshall	[Signature]	P.O. Box 437 Dulce		10-20-10
Elizabeth Sandoval	[Signature]	P.O. Box 437 Dulce		10-20-10
Tracy Sandoval	[Signature]	P.O. Box 437 Dulce		10-20-10
Shed McLeod	[Signature]	P.O. Box 437 Dulce		10-20-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
MITCHELL JARVIS	MITCHELL JARVIS	107 S 3RD ST MANASSA, CO		10/22/10
BRUCE JARVIS	BRUCE JARVIS	502 MAIN ST MANASSA, CO		10/22/10
Donald Sorei	Donald Sorei	109 S. 5th St Manassa, CO	J. M. All for more jobs	10/22/10
Douglas Jarvis	Douglas Jarvis	419 South 1st Street		10/22/10
Kirk Jarvis	Kirk Jarvis	419 South 1st Street		10/22/10
Ann Jarvis	Ann Jarvis	418 YMAINE ST.		10/22/10
Rachel FORT	Rachel FORT	14055 CR. 2 Antonito CO		10/22/10
Christopher Jarvis	Christopher Jarvis	107 S 3rd St Manassa, CO		10/23/10
Wade R Sander	Wade R Sander	16255 Court Rowley, CO		10-25-10
April Robbins	April Robbins	84128 St Hwy 285 Antonito, CO		10-26-10
Christian Jarvis	Christian Jarvis	574 MAIN ST MANASSA, CO		10-26-10
SEET Kung	SEET Kung	510 Main Manassa, CO		10-26-10
Kim Cilleland	Kim Cilleland	215 N 9th Manassa, CO		10-26-10

Regarding STD r: \_\_\_\_\_

- 7

Printed Name

**Signature**

**Address**

**Comment**

Date \_\_\_\_\_

Mentage, M.	
Rex.	

ACB 6 Cr 507

See the my home Yahoo.com



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

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[illegible]

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility *ag 5-1*

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Leaile Alley	<i>[Signature]</i>	155 Pike Dr.	Need to be by train	10-15-10
Molly Sproule	<i>[Signature]</i>	857 N Pecos		10-15-10
Naomi Jones	<i>[Signature]</i>	72 Ventura Rd		10/15/10
Melanie Davis	<i>[Signature]</i>	10 County 4		10/15/10
Tiffany Martin	<i>[Signature]</i>	10 Alamy St Pl		10/15/10
Jerry Cochran	<i>[Signature]</i>	1513 Red Tree Ct		10-15-10
CANYON DEVEL	<i>[Signature]</i>	PO BOX 907 Lovick AR		10/15/10
Irinda Shuckish	<i>[Signature]</i>	PO Box 393 Pagosa Springs		10/15/10
Heidi Tanner	<i>[Signature]</i>	53 Jubilee (-1 Pecos Springs		10/15/10
Deanna Medrano	<i>[Signature]</i>	12500 E HURRY LEO		10-15-10
Alonzo Muller	<i>[Signature]</i>	132 Cedar Rd #1013	Trains in West	10-15-10
Maury Ingman	<i>[Signature]</i>	76 Putnam Ct P.S	be by train	10-15-10
Gerry Pottlery	<i>[Signature]</i>	72 Mancosin Ct		10-15-10
Ryan Fowler	<i>[Signature]</i>	Pagosa Springs		10-15-10
OSCAR SOLORZANO	<i>[Signature]</i>	Pagosa Springs		10-15-10
Cory W. Scott	<i>[Signature]</i>	Durango		
Arden Key	<i>[Signature]</i>	Lagoda Springs		
Arnt Rice	<i>[Signature]</i>			
A. J. Caprice	<i>[Signature]</i>			
chad colby	<i>[Signature]</i>	Durango, CO	Train makes sense	10/15

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

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Printed Name	Signature	Address	Comment	Date
RICHARD PANZY	[Signature]	Box 333 Dulce, NM 87528	Good job	10-14-10
JOSIE MIZ JC	[Signature]	Box 411 Canyon N.M.		10-14-10
TOM RUIHOLTRICK	[Signature]	Box 585 Emburyden NM	CORRECTION	10-14-10
MARJORIE SANCHEZ	[Signature]	Box 382 Tula	good idea	10-14-10
MELBA L. MARTINEZ	[Signature]	P.O. Box 565 Canyon	good idea	10-14-10
KEVIN FISH	[Signature]	Box 487 Chama	-	10-14-10
BENNIE FISHER	[Signature]	P.O. Box 353 Chama	Chama	10-14-10
MARGARET HENDERSON	[Signature]	P.O. Box 1224 Chama	(Good Idea)	10-14-10
SANDY JONES	[Signature]	P.O. Box 185 (I'll be there)	-	10-14-10
NANCY KRAVITZ	[Signature]	178 Crowsnest	Chama	10-14-10
PAUL GUNDEL	[Signature]	P.O. Box 547 Canyon		10-14-10
KATHLEEN	[Signature]	#275 Boy Scout	CORRECTION	10-14-10
MARCELO REYES	[Signature]	P.O. Box 373 Chama	Chama	10-14-10
TERESA PEREZ	[Signature]	P.O. Box 373 Chama		10-14-10
MARGE WILSON	[Signature]	161 Cotton Court House Street		10-14-10
PEGGY HANLON	[Signature]	400 SCENIC Ave P.S. #	good idea	10-15-10
JESSICA LOCKE	[Signature]	158 Eaton Dr BScardillo		10-15-10
PETER HAYKUS	[Signature]	218 Spring St.	No DRINKER	10-15-10
JANET STEVEN	[Signature]	52 Elm Ct		"
ALEXANDER GALLAGHER	[Signature]	Remix 1112 Boy Scout Springs Co		10-15-10

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# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Donna Witsen	Donna Witsen	P.O. Box 3177, Pagosa Springs, CO 81447		10/12/10
Sue Bollini	Sue Bollini	200 River Run R., P.S.,		10/13/10
Linda Spencer	Linda Spencer	40 Box 2877, Pagosa Springs, CO 81447		10/13/10
STEWART LIGHT	STEWART LIGHT	P.O. Box 3320, Dolores, CO 81329		10/13/10
STEWART LIGHT	STEWART LIGHT	Box 400, Monticello, UT 84514		10/14/10
Wendy Anderson	Wendy Anderson	Phaset, SE 106-510		10/13/10
David K. Anderson	David K. Anderson	P.O. Box 154		10/13/10
Ruth Perry	Ruth Perry	P.O. Box 2741 Chama		10-13-10
Bridgette Flores	Bridgette Flores	P.O. Box 2711 Chama		10-13-10
Mirna Olivos	Mirna Olivos	P.O. Box 833 Chama NM		10-14-10
Sandy Foster	Sandy Foster	Am. Del. - Dulce, Greeley, Colo		10-14-10
Erica P. Fago	Erica P. Fago	Am. Del. - Dulce, Greeley, Colo		10-14-10
Sharon Jackson	Sharon Jackson	P.O. Box 7797		10-14-10
John Demarest	John Demarest	P.O. Box 157, Pagosa Springs, CO 81350		10-14-10
C.L. Demarest	C.L. Demarest	Box 157, Pagosa Springs, CO 81350		10/14/10
Chae Johnston	Chae Johnston	P.O. Box 731, Chama, NM		10/14/10
Stew Martinez	Stew Martinez	2012 Montez, St. Nie Albino		
Lupe Lopez	Lupe Lopez	3330 (Am. Del.) Santa Fe		
Cesar Bico	Cesar Bico	SANTA FE		
Marcelo Saez	Marcelo Saez	SANTA FE		10-14-10

# 2<sup>nd</sup> Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Mary Carrier	<i>[Signature]</i>	26 Clerk St P.S.	Just do it	10/13/10
Mary Carrier	<i>[Signature]</i>	Pagosa Springs		10-13-10
Robert N. Gibson	<i>[Signature]</i>	1264 Powell Dr		10-13-10
Gina Sims	<i>[Signature]</i>	Pagosa Springs	ABSOLUTELY	10-13-10
Fernando W. Lopez	<i>[Signature]</i>	PO Box 142 Chama		
Christine Emery	<i>[Signature]</i>	PO Box 142 Chama		
Thomas Smith	<i>[Signature]</i>	PO Box 142 Chama		
Esperanza M. Lopez	<i>[Signature]</i>	PO Box 219 Tropicana	FOR SURE DO IT	10-13-10
Mike Lande	<i>[Signature]</i>	PO Box 142 Chama		10/13/10
Donna Arnold	<i>[Signature]</i>	PO Box 142 Chama		10-13-10
Cheryl McLean	<i>[Signature]</i>	3302 Patrick Mess. 14244		10-13-10
Alaina Ashmore	<i>[Signature]</i>	243 Redstone Highway 94		10-13-10
Alaina Ashmore	<i>[Signature]</i>	8681 C.R. 600 P.S. COSIN	PLEASE DO IT	10-13-10
Steve P. P. P.	<i>[Signature]</i>	8681 C.R. 600 P.S. COSIN		10-13-10
E. C. V. V.	<i>[Signature]</i>	PO Box 1654 Chama		10/13/10
Isabel Alvarado	<i>[Signature]</i>	Pagosa Springs, CO		10/13/10
Herman W. W.	<i>[Signature]</i>	Pagosa Springs, CO		10/13/10



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
- Whereas, the San Luis and Rio Grande Railroad has established a transload facility in a low density part of Conejos County, CO, and
- Whereas Conejos County, CO is opposing the right of the Railroad to operate a transload facility, and

Whereas this opposition by Conejos County has forced continued truck shipments of radioactive waste between LANL and Clive, UT through the following communities: Carson National Forest, San Juan National Forest, Abiquiu, Cebolla, Tierra Amarilla, Brazos, Chama, Chrono, Pagosa Springs, Nurtia, Piedra, Bayfield, Gem Village, Grandview, Durango, Hesperus, Mancos, Cortez, Lewis, Yellow Jacket, Pleasant View, Cathone, Dove Creek, Monticello UT, La Sal Junction, Moab, Crescent Junction, Wellington, Price, Helper, Martin, Colton, Soldier Summit, Spanish Fork, American Fork, Lehi, South Jordan

We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Los Alegrete	[Signature]	Chile Conejo TAOS NM		10/14/10
Michelle Cooke	[Signature]	540 Hondo Seco Arroyo Seco		10/14/10
Leonora Martinez	[Signature]	TA. 1111 87575		10/14/10
Katy Velazquez	[Signature]	PO Box 142 TA 87575	HELP	10/14/10
Letty Thompson	[Signature]	PO Box 931 Chama 87521		10/14/10
Letty Thompson	[Signature]	5751 HS 411 Chama 87528		10/14/10
Erin Wilson	[Signature]	Chama		10/14/10
Cynthia Medina	[Signature]	Chama		10/14/10
George [Signature]	[Signature]	Chama		10/14/10
Shelley [Signature]	[Signature]	Chama		10/14/10
Matt Rehner	[Signature]	Chama NM		10/14/10
Blanca Sclerax	[Signature]	Durango, CO		10/15/10
FRED WARD	[Signature]	Durango, CO		10/15/10
DON DEGANI	[Signature]	Durango, CO 81301		10/15/10
PERLA CRISTO	[Signature]	PO BOX 3151		10/15/10
Yasanda Rosillo	[Signature]	Piedra Rd. 5th St.		10/15/10
Judith Portillo	[Signature]	Pagosa Springs		10/15/10
Mimi Dagg	[Signature]	Park Ave. 2517		10/15/10
Irene Portillo	[Signature]	11		10/15/10
Elidia Viana	[Signature]	33 Lofty PS COLO 8147		10/15/10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility,

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
D. Mutch		P.O. Box 4854 P.S.		10/13/10
C. Thomas		1223 Hersh Ave		10-13-10
K. Ha		100 Country Center R. #11		10-13-10
Richard Lopez		P.O. Box 378		10-13-10
Levi Davis		601 Terry Court Pagosa Springs		
Diane Hoberg		973 Sumner St. Pagosa		10/13/10
Veronica Smith		592 SANTIAGO R. Pagosa		10/13/10
Levi Davis		P.O. Box 523 Pagosa Springs		10-13-10
VERONICA MONTANO		P.O. Box 10734 Pagosa		10/13/10
Alex Saldivar		14920 Cammell Dr		10/13/10
Carne Sider		8000 Oxbow Ln		10/13/10
Karen Mutch		602 WATSON CIR-91147		10/13/10
LEVI DAVIS		229 NUTRIA CIR, P.S. 81147		10/13/10
JOHN GILLES		29 SWEET ST. P.S. 81147		10/13/10
DANIEL GONZ		192 Patten Dr, Pagosa Springs		10/13/10
Gillian McLean		231 Queen Creek, London		10/13/10
Gary Semmes		" "		" "
Veronica Montano		821 EVERGREEN DR, Pagosa Springs 81147		
Levi Davis		1576 Durango Rd Pagosa Springs, Co. 81147		

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
John Williams	[Signature]	2604 Lakeside McKinney, TX		10-3-10
Shelly Williams	[Signature]	23141044 Teyacielo		10-3-10
Doge Williams	[Signature]	700 2nd Creek Rd.		10/13/10
Bertine Williams	[Signature]	PO Box 130415 CO		10/13/10
Alonso Lopez	[Signature]	404 Stinking Creek Laguna Spring		10-13-10
Teo Lopez	[Signature]	2612 Pagosa Springs		10-13-10
LARRY COCHRAN	[Signature]	PO Box 2054		10-13-10
JEAN FONKE	[Signature]	P.O. Box 3343 Springs CO.	thank it's better by rail!	10-13-10
Jenny Lopez	[Signature]	P.O. Box 3343 Springs CO.		10-13-10
Jessica Lopez	[Signature]	P.O. Box 3343 Springs CO.		10-13-10
Shirley Lopez	[Signature]	410 Quaker Pigeon Springs		10-13-10
Mark Lopez	[Signature]	604 4425 Pagosa Springs		10-13-10
STUE RENTER	[Signature]	P.O. Box 3781 Pagosa Springs CO		10-13-10
STEVEN KUTHERS	[Signature]	200 Black Powder P. P.S. CO		10-13-10
Tracy Moore	[Signature]	5111 Avenue D, P.S. CO.		10-13-10
Joe Moore	[Signature]	Box 432 Pagosa Springs		10-13-10
Wendy Moore	[Signature]	201 Nutria Circle	Pagosa Springs	10-13-10
Wendy Lee	[Signature]	311 E. Golf P.S. CO P147		10/13/10
Shirley Hernandez	[Signature]	259 Walnut P.S. CO P147		10/13/10
Deanna Busal	[Signature]	116 Sweetwater Dr.	Pagosa	10/13/10



# 26 Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Keith L. Lusk	<i>[Signature]</i>	470 S. Sprague St. AS		10-13-10
Paul H. Bell	<i>[Signature]</i>	850 E. 2nd St. H. H. Bell		10-13-10
Paul McLeod	<i>[Signature]</i>	POB 1080, Pagosa CO 81447		10-13-10
Joanne Benson	<i>[Signature]</i>	610 Genial Drive St. Cloud MN 56301		10-13-10
Jeff Lind	<i>[Signature]</i>	15305 Aspen Drive SW Channeled 55314		10-13-10
Michelle	<i>[Signature]</i>	1090 SA Spruce		10-13-10
Gibbattson	<i>[Signature]</i>	Pagosa Springs	Safe	10-13-10
GUMBART	<i>[Signature]</i>	Pagosa Springs	mail it safe	10-13-10
Gumbart	<i>[Signature]</i>	Pagosa Sp.	" "	10-13-10
Bauer	<i>[Signature]</i>	" "	" "	10-13-10
DELAER	<i>[Signature]</i>	POB 484 AS CO 81447		10-13-10
Karen Mendoza	<i>[Signature]</i>	88 North Bay St		10-13-10
Janet dentzel	<i>[Signature]</i>	3100 14th St Greeley CO		10-13-10
John Dandzel	<i>[Signature]</i>	2100-14th St Greeley CO		10-13-10
Ashley Spaza	<i>[Signature]</i>	PO Box 1851, Pagosa Springs CO	" "	10-13-10
Mindy Munn	<i>[Signature]</i>	131 Sunny Lake Dr		10-13-10
Gary Bates	<i>[Signature]</i>	86 Blue Lake Dr Pagosa Springs		10-13-10
John Bates	<i>[Signature]</i>	307 N. Main St.		10-13-10
Victoria Bates	<i>[Signature]</i>	307 N. Main St.		10-13-10

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**Regarding STB Finance Docket # 35388**

- Fork, Lehi, South Jordan

**Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.**

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# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Suzanne Niehaus	<i>Suzanne Niehaus</i>	256 Down + Out Rd. Pagosa, Co.		10/13/10
Kari Lueger	<i>Kari Lueger</i>	2450 N. Good Pasture Ln		10/13/10
Sam McGinnis	<i>Sam McGinnis</i>	25 Waterwheel Circle Pagosa, Co		10/13/10
Cassidy Peterson	<i>Cassidy Peterson</i>			10-13-10
Joe Mazzanovich	<i>Joe Mazzanovich</i>	40 23 P.S. CO		10-15-10
L. B. ECHTERHART	<i>L. B. ECHTERHART</i>	47 Northway Circle		10-13-10
M. Buckley	<i>M. Buckley</i>	217 Prairie Crescent Way		10-13-10
MD Danton	<i>MD Danton</i>	PO Box 2426 Pagosa		10-13-10
Debra Clark	<i>Debra Clark</i>	71 N. Foothills Ct.		10-13-10
Josh Senia	<i>Josh Senia</i>	28 Red Ryder		10-13-10
John Johnson	<i>John Johnson</i>	110 Emissary Ct. Pagosa		10/13
Armando Donier	<i>Armando Donier</i>	"		10/13
Marta Ward	<i>Marta Ward</i>	422 Pagosa St.		10/13
Jim Guilford	<i>Jim Guilford</i>	5655 Running Horse Pl. Pagosa		"
JENNIFER	<i>JENNIFER</i>	1322 CHANDLER AVE		10/13
William Arnold	<i>William Arnold</i>	<del>1030X1034</del> Pagosa Springs		10/13/10
Deborah Williams	<i>Deborah Williams</i>	1030X1034 Pagosa Springs		10/13/10
Henry H. Harris	<i>Henry H. Harris</i>	PO Box 1234 Pagosa 60802		10/13/10
Stephany Bourcier	<i>Stephany Bourcier</i>	4600 Aguilera Cir Pagosa		10/13/10
Janice Reseigh	<i>Janice Reseigh</i>	850 E. Log Hill Rd. Pagosa		10/13/10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Wanda Baga	[Signature]	HO 75 BOX 40	This is a safe route	10/13/10
Camille Ingle	[Signature]	PO Box 621 Chama	OK	10/14/10
Angie Perkins	[Signature]	Chama NM		10/14/10
Ken Bell	[Signature]	HO 75 BOX 50		10/14/10
Matthew Brock	[Signature]	PO Box 600 Chama, NM		
MacDonnell	[Signature]	Chama NM		10/14/10
Jose R Gallegos	[Signature]	Chama, NM	Good Idea	
Geulki Gallegos	[Signature]	Chama, NM	Good Idea	10/14/10
Alfonso Herrera	[Signature]	Chama, NM	Good	10/14/10
Edgar Turpin	[Signature]	Cortez CO		10-14-10
Steven Moragan	[Signature]	Chama NM	Good Idea	10/14/10
Robert Giron	[Signature]	Chama, NM	Good Idea	10/14/10
Diana Cuevas	[Signature]	Chama, NM	Good Idea	10/14/10
Mary Gallegos	[Signature]	Chama, NM	Good Idea	10-14-10
Rachel Bida	[Signature]	Chama, NM		10-14-10
Shirley M. Bida	[Signature]	Chama, NM		10/14/10
Alex Alcon	[Signature]	Chama, NM	Good Idea	10/14/10
Christie Arnold	[Signature]	5551 Springview Dr. S.W.	Let's do it	10/14/10
José L. Hepler	[Signature]	41 Box 25 Freedom, OK	Let's do it	10-12-10

**Petition to Support the San Luis and Rio Grande Railroad Transload Facility**

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

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Printed Name	Signature	Address	Comment	Date
Ita Smith	<i>Ita Smith</i>	PO Box 536 Medina 73552	30 lbs 11	10-14-10
Anna Muller	<i>Anna Muller</i>	Terra, Amarillo, NM	good idea!	10-14-10
Eddie Lueckes	<i>Eddie Lueckes</i>	PO Box 180, Amarillo, NM	good idea	10-14-10
Michael Williams	<i>Michael Williams</i>	PO Box 180	good idea	10-14-10
Eric Pitt	<i>Eric Pitt</i>	Box 217 Bawabawak	Good	10-14-10
De Smith	<i>De Smith</i>	Chama 71-71	Good	10-14-10
Walter Wells	<i>Walter Wells</i>	PO Box 201	Good	10-14-10
Walter Wells	<i>Walter Wells</i>	"	"	"
Walter Wells	<i>Walter Wells</i>	PO Box 992 Chama	Good	10-14-10
Deanna Fournier	<i>Deanna Fournier</i>	PO Box 374 Chama	"	10-14-10
Deanna Fournier	<i>Deanna Fournier</i>	PO Box 428	get 17 after 11/14/10	10-14-10
Bill Deostes	<i>Bill Deostes</i>	3397 N. 7500	"	10-14-10
Jackie Martine	<i>Jackie Martine</i>	"	"	10-14-10
Helen Orisco	<i>Helen Orisco</i>	731 W Chama St Chama	"	10-14-10
Ernest E. Vyl	<i>Ernest E. Vyl</i>	PO Box 210 Chama, NM	keep to out of the country	10-14-10
Michael A. Quintana	<i>Michael A. Quintana</i>	PO Box 603 Chama, NM	Good	10-14-10
Michael A. Quintana	<i>Michael A. Quintana</i>	PO Box 108, Chama, NM	Good	10-14-10
Deanna Williams	<i>Deanna Williams</i>	PO Box 108, Chama, NM	Good	10-14-10
Deanna Williams	<i>Deanna Williams</i>	PO Box 108, Chama, NM	Good	10-14-10
Deanna Williams	<i>Deanna Williams</i>	PO Box 108, Chama, NM	Good	10-14-10

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Printed Name	Signature	Address	Comment	Date
LORINDA ALLEN	<i>[Signature]</i>	155 Huckleberry Lane, Pagosa Springs		10-15-10
HOLLY FULBRIGHT	<i>[Signature]</i>	51 Homestead Dr., Pagosa		10-15-10
MILLS JEFFERY	<i>[Signature]</i>	2227 2nd St, Pagosa		10-15-10
MASON RUMER	<i>[Signature]</i>	518 S. 9th St, Pagosa Springs		10-15-10
RUTH SNIDEY	<i>[Signature]</i>	531 Ridgeview Lane, Pagosa Springs		10-15-10
JAMES SNIDEY	<i>[Signature]</i>	831 Ridgeview Lane, Pagosa Springs		10-15-10
SANDRA KELLO	<i>[Signature]</i>	470 Lakeside Dr.		10-15-10
KATHY ROSALES	<i>[Signature]</i>	6565 Hwy 84		10-15-10
LILLIAN STANLEY	<i>[Signature]</i>	700 Laurel Road		10-15-10
ALAN STARK	<i>[Signature]</i>	3543 Nardles Pl.		10-15-10
JANICE HADLER	<i>[Signature]</i>	40 Sycamore Dr.		10-15-10
DEBORAH L. GARNETT	<i>[Signature]</i>	118 Highland Ave		10-15-10
ADAM KELLY	<i>[Signature]</i>	4440 N. Pagosa Blvd		10-15-10
LINDA LONDALES	<i>[Signature]</i>	33 Te Anit Pl		10-15-10
KAY DEAR	<i>[Signature]</i>	40 68th St, Pagosa Springs		10-15-10
OTOLEBERNARD	<i>[Signature]</i>	254 Rainbow Dr, Pagosa Springs		10-15-10
ALAN PACHE	<i>[Signature]</i>	100 Box 101, Pagosa		10-15-10
MICHAEL GERT	<i>[Signature]</i>	100 Box 101, Pagosa		10-15-10
TERRI SMITH	<i>[Signature]</i>	2009 Grandview Pl, Pagosa		10-15-10
DEBORAH ROSS	<i>[Signature]</i>	1335 Grandview Ave, Pagosa Springs		10-15-10





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Printed Name	Signature	Address	Comment	Date
Suey Garcia	[Signature]	Box 943 Pagosa Co	put on train motor Hwy	10-15-10
Tina's (2012)	[Signature]	746034 SPRINGS		10-15-10
Kevin Taylor	[Signature]	141715 E. Coachman Dr.		10/15/10
Brianne Taylor	[Signature]	431 FIFE SIDE ST PSC		10/15/10
Mary Ann DeBor	[Signature]	HC 75 Box 6 Chama, NM		10/15/10
Irish Timbly	[Signature]	4322 W Durango Dr.		10/15/10
Brenda Under	[Signature]	"		10/15/10
Faith Richardson	[Signature]	94 Travis Place	but it won't be our turn!	10/15/10
Don't know	[Signature]	76 Sunshine Dr. W		10/15/10
Carrie Hill	[Signature]	68 Boulder Pl. PS.		10/15/10
Linda Weaver	[Signature]	7114 W Hwy 160 Pagosa 81147		10/15/10
Teresa Williams	[Signature]	same as		10/15/10
David Kuganski	[Signature]	311 S 7th Street #2	get it off the Hwy	10/15/10
Kristal Wilson	[Signature]	8574 N. Rogers Blvd #22	think of safety	10/15/10
Jonathon Payne	[Signature]	311 S 7th Street #2	think about our health	10/15/10
Timmy Seelen	[Signature]	10 Town Plaza 155 Durango		10/15/10
John R Schulte	[Signature]	43 N. Durango Springs	get it off the Hwy	10/15/10
Sara Wilson	[Signature]	48 Puma Ct	"	10/15/10
Donna Williams	[Signature]	20 Box 1718	get it off Hwy	10/15/10
Wayne Del	[Signature]	10 Box 112 Durango		10/15/10



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
- Whereas, the San Luis and Rio Grande Railroad has established a transload facility in a low density part of Conejos County, CO, and
- Whereas Conejos County, CO is opposing the right of the Railroad to operate a transload facility, and
- Whereas this opposition by Conejos County has forced continued truck shipments of radioactive waste between LANL and Clive, UT through the following communities: Carson National Forest, San Juan National Forest, Abeggo, Cebolla, Tierra Amarilla, Brazos, Chamá, Chromo, Pagosa Springs, Nutria, Piedra, Bayfield, Gem Village, Grandview, Durango, Hesperus, Mancos, Canez, Lewis, Yellow Jacket, Pleasant View, Cahone, Dove Creek, Monticello UT, La Sal Junction, Moab, Crescent Junction, Wellington, Raice, Helper, Martin, Cotton, Seddler Summit, Spanish Fork, American Fork, Lehi, South Jordan

We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
TAMM HOLADE	<i>[Signature]</i>	PO BOX 5014 P.S.		10/15/10
GARY WERTH	<i>[Signature]</i>	3155 VAILLY CIRCLE P.S.		10/15/10
LEWIS D MILLER	<i>[Signature]</i>	110 BOX 0175 Y P.S.		10/15/10
Glenda Barker	<i>[Signature]</i>	1324 Cactus Dr. P.S.		10-15-10
David Bottrell	<i>[Signature]</i>	1833 24th St. Greeley, CO		10/15/2010
MAE TIMM	<i>[Signature]</i>	1515 S. JOURNAL DR. P.S.		10/15/10
DAVID HERRICK	<i>[Signature]</i>	1533 CENTRE PL.		10/15/10
Laura Munn	<i>[Signature]</i>	712 N. Johnson Ave		10/15/10
Jean Keenig	<i>[Signature]</i>	117 Maple Glen Pl. P.S.		10/15/10
Sharon Ravine	<i>[Signature]</i>	200 Lewis St. P.S.		10/15/10
Charly Ravine	<i>[Signature]</i>	459 S. 1st St. P.S.		10/15/10
Kurt Johnson	<i>[Signature]</i>	660 CEDAR ST. P.S.		
ANDREW LUBMAN	<i>[Signature]</i>	355 FIRESIDE ST. P.S.		10/15/10
JACK & LUCY	<i>[Signature]</i>	41115 CR P.S.		10/15/10
PAUL SHETTON	<i>[Signature]</i>	5 BIRCHDALE CE P.S.		10-15-10
BRADLEY GLOVER	<i>[Signature]</i>	1419 HESPERUS DR P.S.		10-15-10
BEN SMITH	<i>[Signature]</i>	171 AUSTIN DR P.S.		10/15/10
MICK LUGO	<i>[Signature]</i>	6615 S. FM 113 P.S.		10/15/10
Bryan Tilghman	<i>[Signature]</i>	239 MARYGATE TRAIL P.S.		10/15/10
Sharon Breich	<i>[Signature]</i>	10 BOX 118 Spring Valley		10/15/10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
ANNE MURPHY	[Signature]	PO Box 222 Cebolla, NM 87514		10/15/10
Raymond Coria	[Signature]	PO Box 222 Cebolla, NM		10/15/10
Denise Coria	[Signature]	Cebolla, NM		10/15/10
Ray Coria Sr	[Signature]	Cebolla, NM		10/15/10
Robert Aragon	[Signature]	Youngville		10/15/10
Faith Walker	[Signature]	Youngville		10/15/10
Clara Sanders	[Signature]	Chama, NM		10/15/10
Theresa Aguirre	[Signature]	Chama, NM		10/15/10
Muriel Trujillo	[Signature]	Chama, NM		10/15/10
Elisa R. Trujillo	[Signature]	Chama, NM		10-15-10
ESAA, E. Trujillo	[Signature]	Chama, NM		10-15-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 353888**

- Whereas rail transportation is significantly safer than truck transportation, and
- Whereas rail transportation is environmentally friendlier than truck transportation, and
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- Whereas this opposition by Conejos County has forced continued truck shipments of radioactive waste between LANL and Clive, UT through the following communities: Carson National Forest, San Juan National Forest, Abiquiu, Cebolla, Tierra Amarilla, Brazos, Chama, Chromo, Pagosa Springs, Nutria, Piedra, Bayfield, Gem Village, Grandview, Durango, Hesperus, Mancos, Cortez, Lewis, Yellow Jacket, Pleasant View, Calhoun, Dove Creek, Monticello UT, La Sal Junction, Moab, Crescent Junction, Wellington, Price, Helper, Martin, Colton, Soldier Summit, Spanish Fork, American Fork, Lehi, South Jordan

We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

[illegible]

# BQ Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Steven Vigil	[Signature]	Box 127, Española, NM 87532		10/8/10
Abelino Luna	[Signature]	PO Box 162, Los Ojos, NM		10/19/10
Andrea J. Mercuri	[Signature]	HC 75 Box 134, Los Ojos, NM 87551		10/19/10
Dustin Friday	[Signature]	4650 Drielle Ln, Chando		10/19/10
Cindy Friday	[Signature]	4650 Drielle Ln, Chando		10/19/10
Jose Tolamant	[Signature]	1072 Manzana, D		10/19/10
Jose Conda	[Signature]	HC 75 Box 156, Los Ojos		10/19/10
Mike Mc...	[Signature]	HC 75 Box 171, Los Ojos		10/21/10
Terone E. ...	[Signature]	PO Box 74, Los Ojos, NM 87551		10/21/10
Michael G. River	[Signature]	PO Box 74, Los Ojos, NM 87551		10/21/10
Greg ...	[Signature]	11 - "		10/21/10
Adam ...	[Signature]	86 S. Hwy RD 1 E, #1, Monte Vista		10/21/10
Arthur ...	[Signature]	4115 10th St		10/22/10
Robert ...	[Signature]	13145 Pueblo La Sierrita		10/22/10
Robert ...	[Signature]	308 Sun St, Alamogordo, NM 88101		10-22-10
Debra ...	[Signature]	1710 S. California Ave		10-22-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Winfred S. Saylor	[Signature]	Box 224 Counselor NM		10/19/10
Donna Smith	[Signature]	PO Box 234 Arroyo NM	Sh Road -	10/19/10
Barbara Brown	[Signature]	20117 Arroyo Rd, CO		10/19/10
Jim Lane	[Signature]	2363 Hwy 81 N Chama NM	Ship by Rail	10/19/10
Lila Mary	[Signature]	PO Box 299 Chama		10/19/10
Jessie [unclear]	[Signature]	173 N. Main St D.O.		10/19/10
Carol Shumway	[Signature]	500 miles south of		10/19/10
Greg Evans	[Signature]	49 Sun Valley Rd. Tolosa NM		10/19/10
Lami Evans	[Signature]	49 Sun Valley Rd. Tolosa NM		10/19/10
James Jackson	[Signature]	800 Mill Lane St #620 S. O.		10/19/10
Karen Swan	[Signature]	27499 Briggs Hill Rd Denver CO		10/19/10
Fred Coonan	[Signature]	130 Stone Lake Rd Dulce NM		10/19/10
Jacqueline Lisco	[Signature]	344 N. Main St. Farmington		10/19/10
Mark Dolores	[Signature]	3042 South Hwy 17 - Dulce NM	Support the plan roads	10/19/10
Cassie Wood	[Signature]	11	h	10/19/10
	[Signature]	6532 Albany Hills NW 57149	OK	10/19/10
	[Signature]	H.C. 75 Box 49		10/19/10
	[Signature]	P.O. Box 92 Dulce NM		10/19/10
	[Signature]	Farmington		10/19/10
	[Signature]	Chama		10/19/10

**28 Petition to Support the San Luis and Rio Grande Railroad Transload Facility**

**Regarding S"TB Finance Docket # 35388**

- Whereas rail transportation is significantly safer than truck transportation, and
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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Jennifer Skill	Jennifer Skill	P.O. Box 895 Chama NM 87531		10/18/2010
Jay Wilson	Jay Wilson	P.O. Box 191 Chama NM 87530		10/19/2010
Lyone Burton	Lyone Burton	P.O. Box 1224 Chama NM 87530		10/19/10
Richard Laker	Richard Laker	P.O. Box 1096 Chama NM 87530		10-15-10
Natalie Martinez	Natalie Martinez	P.O. Box 842 Chama NM 87530		10-15-10
Vicente Flores	Vicente Flores	P.O. Box 75 Box 07 T.A.	Mex	10-19-10
Rosemary Flores	Rosemary Flores	P.O. Box 07 T.A.	Mex	10-15-10
Lucia O'Brien	Lucia O'Brien	P.O. Box 821 Chama	Mex 87520	10-19-10
Lucia O'Brien	Lucia O'Brien	P.O. Box 192 Chama	Mex 87520	10/19/10
Isidra Gallaga	Isidra Gallaga	Chama NM 87520		10/19/10
Rosario Garcia	Rosario Garcia	P.O. Box 420 Chama NM		10/19/10
Angela Serrano	Angela Serrano	P.O. Box 420 Chama NM		10/19/10
Michael Lopez	Michael Lopez	P.O. Box 263 Tule Creek		10/19/10
Wendy Lopez	Wendy Lopez	P.O. Box 3235 Tule	NM 87910	10-19-10
Roger Bruce	Roger Bruce	Box 4 Chama NM		10-15-10
John Jones	John Jones	P.O. Box 4184 Tule		10-15-10
Keith Jones	Keith Jones	7507 Day Dr. Tule		10-19-10
John Jones	John Jones	P.O. Box 1315 Tule		10-19-10
Jessica Lopez	Jessica Lopez	P.O. Box 1123 Tule, NM	87520	10-15-10
Melinda Martinez	Melinda Martinez	P.O. Box 4 Chama NM	87520	10-19-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

**Regarding STB Finance Docket # 35388**

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

[illegible]
$$\begin{array}{r} 231 \\ + 28 \\ \hline 259 \\ \text{Total} \end{array}$$

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P.12

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Beth R. Cronin	Beth R. Cronin	170 Sheets Lane - Dgo		10/17/10
James Cagle	James Cagle	Dgo		10/17/10
Theresa Stetler	Theresa Stetler	Dgo		10/17/10
Essie Kuntz	Essie Kuntz	Dgo		10-17-10
Maureen Smith	Maureen Smith	Dgo		10-17-10
Kristina Joseph	Kristina Joseph	Dgo		10-17-10
Alba R. Rivera	Alba R. Rivera	Dgo		"
Karen Schubert	Karen Schubert	Dgo		10-17-10
Alma Smith	Alma Smith	Dgo		10-17-20
Roger Lerner	Roger Lerner	Bayfield		10-17-10
Lucretia Alencar	Lucretia Alencar	Dgo		"
MARCUS KOVE	MARCUS KOVE	Dgo		"
Jessie Albert	Jessie Albert	Creech, N.M.		10-17-10
Linda Bailey	Linda Bailey	Bayfield, CO		10/17/10
Lynn Petersen	Lynn Petersen	"		10/17/10
Tammy Wyatt	Tammy Wyatt	"		"
Jeff Allen	Jeff Allen	Albuquerque, N.M.		10/19/10
Sally Harmon	Sally Harmon	Dgo		10/19/10
Elizabeth	Elizabeth	Dgo		10/17/10
Elizabeth	Elizabeth	Dgo		10/17/10

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A.11





# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

ATB P.9

Printed Name	Signature	Address	Comment	Date
Andrew Gonzalez	<i>[Signature]</i>	Durango		10/16/10
Wendy Wright	<i>[Signature]</i>	Durango		10/16/10
Macquie Long	<i>[Signature]</i>	Durango		10/16/10
Kinda Morlong	<i>[Signature]</i>	Bayfield		10/16/10
Nick Keeler	<i>[Signature]</i>	Durango		10/16/10
Tana Wilson	<i>[Signature]</i>	Durango		10/16/10
Jon Swindeman	<i>[Signature]</i>	Ignacio		10/16/10
Joe Swindeman	<i>[Signature]</i>	Ignacio		10/16/10
Justin Mayne	<i>[Signature]</i>	Durango, CO		10-16-10
Jessi Salda	<i>[Signature]</i>	Durango		"
Harriet Johnson	<i>[Signature]</i>	Durango		"
Rhonda Salazar	<i>[Signature]</i>	Ignacio, CO		10/16/10
Brandy Nickle	<i>[Signature]</i>	Bayfield, CO		10-16-10
Will Medina	<i>[Signature]</i>	Ignacio, CO		10/16/10
Felipe Mares	<i>[Signature]</i>	Durango, CO		10/16/10
Stephen O'Brien	<i>[Signature]</i>	Durango, CO		10/16/10
Shelley Korman	<i>[Signature]</i>	Durango, CO		10/16/10
John Korman	<i>[Signature]</i>	Durango, CO		10/16/10
Jaime Martinez	<i>[Signature]</i>	Durango, CO		10/16/10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

STB P.8

Printed Name	Signature	Address	Comment	Date
Diane Lantz		Durango		10/16/2005
Rebecca Duen		Durango		10/16/2005
Paul Foster		Pagosa Springs		10/16/2005
Rachel Phillips		Farmington, NM	Natural Gas	10/16/2005
Diana Mott		Spacio	"	10/16/2005
LEAH Gay		Aster, NM	"	10/16/2005
Kari Annaka		Aster, NM	"	10/16/2005
John Perkins		414 E 8th Ave		10/16/2005
Martin Duggles		"		10/16/2005
ALEJANDRO BEGAYE		Durango	Natural Gas	10/16/2005
Sue Butler		Durango	"	10/16/2005
Shirley Gray		Durango	"	10/16/2005
Mark D. Paul		Durango	"	10/16/2005
Stephen Warrick		Durango		10/16/2005
David Kemmick		Durango		10/16/2005
Camara Reynolds		Durango, CO 81137		10/16/2005
Wanda Reynolds		Durango, CO 81137		10/16/2005
David Belone		405 W. 14th St. #90, Cortez, CO.		10/16/2005
Edmund Warr		405 W. 14th St. #90, Cortez, CO.		10/16/2005
Don Eiderman		Durango, CO		10/16/2005

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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R7

Printed Name	Signature	Address	Comment	Date
HOMER TANKING	[Signature]	Durango		10-16-10
NER MARTINEZ	[Signature]	BAYFIELD CO		10-16-10
Mindy Martinez	[Signature]	Bayfield, CO		10-16-10
Debi Patterson	[Signature]	Durango, CO		10/16/10
Paul Johnson	[Signature]			
Anne Robinson	[Signature]	Bayfield, CO		10/16/10
Amel Orr	[Signature]	Bayfield, CO		10/16/10
Ashley Edinette	[Signature]	Durango, CO		10/16/10
Daniel Corson	[Signature]	Durango Co		10/16/10
Lee Vasseri	[Signature]	Durango Co		10/16/10
Debra Baillie	[Signature]	"		10/16/10
Mary Giam	[Signature]	"		10/16/10
Tanya Clegg	[Signature]	Durango CO		10/16/10
Veron Herron	[Signature]	Farming in road		10/16/10
JANIS KAPITEL	[Signature]	Boulder CO		10/16/10
Robert Clark	[Signature]	Boulder CO		10/16/10
Sam Ransom	[Signature]	Durango Co		10/16/10
Rh Dugan	[Signature]	"		"
TAMMY ROSEN	[Signature]	"		10/16/10
JOSIE MORALES	[Signature]	"		"

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Phelan Wolfe	<i>[Signature]</i>	Durango CO		10-15-10
Tracy Kitchell	<i>[Signature]</i>	"		"
Cora Vega	<i>[Signature]</i>	"		"
John Martin	<i>[Signature]</i>	"		"
Phil Getz	<i>[Signature]</i>	"		"
Karen Thomas	<i>[Signature]</i>	"		"
LISA HART	<i>[Signature]</i>	"		"
William Bedford	<i>[Signature]</i>	Durango		10-16-10
Donna Baker	<i>[Signature]</i>	Blomfield		10-16-10
Justin Baker	<i>[Signature]</i>	"		10-16-10
TED BOOLIN	<i>[Signature]</i>	"		10-16-10
Alissa Baker	<i>[Signature]</i>	"		10-16-10
Tina Martinez	<i>[Signature]</i>	Durango		10-16-10
Angela Lewis	<i>[Signature]</i>	Durango		10-16-10
Herald Lopez	<i>[Signature]</i>	Durango Co	Please approve Durango Co	10-16-10
Steve Gabor	<i>[Signature]</i>	Durango		"
Solana Bendley	<i>[Signature]</i>	"		"
Delisha Bendley	<i>[Signature]</i>	"		"
Heather Mather	<i>[Signature]</i>	"		"
Nellie Bendley	<i>[Signature]</i>	"		"

VB  
P. 6

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

- Whereas rail transportation is significantly safer than truck transportation, and
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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Ryan Romero	[Signature]	Durango, CO		10/15/10
Will Alford	[Signature]	Durango, CO		10/15/10
Barry's Hedman	[Signature]	Durango, CO		10/15/10
JANESSA COLBY	[Signature]	Kitco, NM		10/15/10
ANGELA FEYERH	[Signature]	"		10.15-10
FUSTON JAMES	[Signature]	Durango, CO		"
PEGGY SWARTZ	[Signature]	"		10/15/10
JAN WATERS	[Signature]	"		10/15/10
Megan Ross	[Signature]	"	Good Luck ☺	"
KEVIN COLE	[Signature]	"	"	"
AMANDA DEAN	[Signature]	"	"	"
Fran Mauer	[Signature]	"	"	"
Steve Vleny	[Signature]	Durango, CO		10-15-10
Sharon Etz	[Signature]	Durango, CO		10-15-10
Molly Black	[Signature]	Durango, CO		10-15-10
Scott Mel	[Signature]	Durango, CO		10/15/10
Sam Rogers	[Signature]	Durango, CO		10/15/10
Sylvia Martinez	[Signature]	Durango, CO		10.15.10
Ross Jackson	[Signature]	Durango, CO		10-15-10
Jose Castillo	[Signature]	Durango, CO		10-15-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

008 (P.4)

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Margaret Catter	<i>M. Catter</i>	13300 R 530 Pagosa	Thompson	10/15/10
ROSE MARTINEZ	<i>Rose Martinez</i>	Summit, New Mexico		10-15-10
STAN MURDER	<i>Stan Murder</i>	Durango, CO		10-15-10
RUTH BROWN	<i>Ruth Brown</i>	Durango, CO		10/15/10
JD PARSONS	<i>JD Parsons</i>	Durango, CO		10/15/10
Heidi Jackson	<i>Heidi Jackson</i>	Durango, CO		10/15/10
DAVID	<i>David</i>	3221 Hwy 53 West		10/15/10
MARINA	<i>Marina</i>	3221 Hwy 53 West		10/15/10
Mike	<i>Mike</i>	Durango, CO		10/15/10
CHUCK ROBERTS	<i>Chuck Roberts</i>	Durango, CO		10/15/10
JO SMITH	<i>JO Smith</i>	Trinidad, CO		"
Recky DURAN	<i>Recky Duran</i>	Hillman, CO		10/15/10
KATHY KAND	<i>Kathy Kand</i>	Durango, CO		10/15/10
CHERYL MACY	<i>Cheryl Macy</i>	Bugfield, CO		10/15/10
AMY STERN	<i>Amy Stern</i>	Durango, CO		10/15/10
JOHN LUTZ	<i>John Lutz</i>	"		"
JOHN CALLAS	<i>John Callas</i>	"		"
TAM SHULTZ	<i>Tam Shultz</i>	"		"
GREG JONES	<i>Greg Jones</i>	Hotter, NM		10.15.10
BOB DAVIS	<i>Bob Davis</i>	Durango, CO		10-15-10

# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

APR 19.3

Regarding STB Finance Docket # 35388

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We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Terri Shahan	<i>Terri Shahan</i>	PO Box 35 Durango Co		10-14-10
Lora Folson	<i>Lora Folson</i>	20 Bullard Hwy Dur		10-14-10
Bruce Duran	<i>Bruce Duran</i>	Pagosa Springs		10-14-10
Gary Jones	<i>Gary Jones</i>	Pagosa Springs		10-14-10
Henry Wallace	<i>Henry Wallace</i>	219 S. Main Highway		10-14-10
Earle H. Avery	<i>Earle H. Avery</i>	185 Pine St. Durango		10-15-10
Tony Keller	<i>Tony Keller</i>	Durango		10-15-10
Donna Tobias	<i>Donna Tobias</i>	Ignacio, CO		10-15-10
Michael Coxwell	<i>Michael Coxwell</i>	Ignacio, CO		10/15/10
John Smith	<i>John Smith</i>	Durango, CO		10/15/10
Bill Smith	<i>Bill Smith</i>	Durango, CO		10/15/10
Terri M. Nims	<i>Terri M. Nims</i>	Durango, CO	Find another Durango area	10/15/10
Marion Johnson	<i>Marion Johnson</i>	Durango, CO		10/15/10
John Johnson	<i>John Johnson</i>	Durango, CO		10/15/10
Don Johnson	<i>Don Johnson</i>	Durango, CO		10/15/10
D. Sullivan	<i>D. Sullivan</i>	Durango, CO		10-15-10
Mary Simmons	<i>Mary Simmons</i>	Durango, CO		10-15-10
Lola Bartlett	<i>Lola Bartlett</i>	Ignacio, Colorado		10/15/10
Don Clark	<i>Don Clark</i>	Ignacio, CO		10-15-10
Joe Valencia	<i>Joe Valencia</i>	Altec, NM		10-15-10

Thru



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

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Printed Name	Signature	Address	Comment	Date
Christina Knell	<i>[Signature]</i>	875 Pike Dr. P.S. CO	Large game animals on Hwy 160	10/14/10
Rayn James	<i>[Signature]</i>	156 Canon Circle P.S. Co	More roads, game crossing, dangerous area	10/14/10
Andia Morales	<i>[Signature]</i>	P.O. Box 34, P.S. CO 81147	" " " "	10/14/10
Reba Jossie	<i>[Signature]</i>	P.O. Box 3358 P.S. CO 81147	" " " "	10/14/10
Kathy Lee	<i>[Signature]</i>	P.O. Box 4935 P.S. CO 81147	" " " "	10/14/10
Shirley R	<i>[Signature]</i>	455 E. Golf P.S. CO	Not to be on Road	10/14/10
Tracy Tinklerberg	<i>[Signature]</i>	402 Jacobson Circle	use Railroad	10/14/10
Dennis Duval	<i>[Signature]</i>	P.O. Box 1452		10/14/10
Ronda D. Payne	<i>[Signature]</i>	2142.59m Pagosa Sp	use Railroad	10/14/10
Titus D. Dine	<i>[Signature]</i>	607 One Ha Pl		10/14/10
Steve Allen	<i>[Signature]</i>	8065 #9 Ave		10/14/10
Ronnie Fleming	<i>[Signature]</i>	216 Circle St. N. N. CO		10/14/10
Everett Nichols	<i>[Signature]</i>	P.O. Box 205 Citrus Ca		10/14/10
Walter Baumgardner	<i>[Signature]</i>	831 Alpine St. 80564		10/14/10
Kara Baumgardner	<i>[Signature]</i>	831 Alpine St. 80564		10/14/10
Justine M. M. S.	<i>[Signature]</i>	1108 Bonanza Ave	use RR	10/14/10
Steve M. S.	<i>[Signature]</i>	158 Bonanza Ave	use RR	10/14/10
Theresa Tyndall	<i>[Signature]</i>	Pagosa Springs		10-14-10
Kathryn Servis	<i>[Signature]</i>	Pagosa Springs		10-14-10
Agnes Shahan	<i>[Signature]</i>	Bartholomew, Orla	use RR	10-14-10

*[Signature]* P.2



# Petition to Support the San Luis and Rio Grande Railroad Transload Facility

Regarding STB Finance Docket # 35388

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Printed Name	Signature	Address	Comment	Date
Steve Davis	[Signature]	P.O. Box 23 Cortez, N.M.		
Alvaro Holm	[Signature]	P.O. Box 181 Chama, N.M.		
Kathy Gomez	[Signature]	P.O. Box 195 Dora, Dora, N.M.		
Michelle Haddock	[Signature]	P.O. Box 886 Chama, N.M. 87538		
Robert Martinez	[Signature]	P.O. Box 333 T.A. 87575		
Ramon Martinez	[Signature]	P.O. Box 333 T.A. 87575		
Galvin H. Thompson	[Signature]	P.O. Box 333 T.A. 87575		
William Terrell	[Signature]	Nederland, CO 80466		
Ona [unclear]	[Signature]	P.O. Box 251 [unclear] 87575		
Ally [unclear]	[Signature]	P.O. Box 251 [unclear] 87575		
J. J. Archery	[Signature]	5201 C.R. 155 S. 1st Ave. Ft. Collins, CO		
[unclear]	[Signature]	P.O. Box 2217 [unclear]		
Angela Medel	[Signature]	P.O. Box 422 Chama, N.M.		
Steven Medel	[Signature]	P.O. Box 422 Chama, N.M.		
Ally [unclear]	[Signature]	P.O. Box 233 Los Alamos, N.M.		
Thom [unclear]	[Signature]	P.O. Box 1662 Cortez, N.M.		
Beth [unclear]	[Signature]	P.O. Box 616 Chama, N.M. 87538		
Marice [unclear]	[Signature]	P.O. Box 1101 Chama, N.M. 87538		

**Regarding STB Finance Docket # 35388**

- We, the undersigned, are concerned citizens who petition the Surface Transportation Board to uphold the right of the San Luis and Rio Grande Railroad to operate a transload facility in Conejos County, CO.

Printed Name	Signature	Address	Comment	Date
Ashley D. Meyer	Ashley D. Meyer	St Hwy 17 House # 199A		
Yashini Manivannan	Yashini Manivannan	375 W. 5th St R14		
Vin Sankar	Vin Sankar	6741 E. Hwy 140		
Stephanie Brahm	Stephanie Brahm	857 N Laposa Blvd		
Jay Walker	Jay Walker	202 <del>S</del> 2nd St		
W. Key	W. Key	3701 CE. St		
Craig J. Hader	Craig J. Hader	108 W. Leander	Stop - 27	
Mosdalena	Mosdalena	P.O. Box 3151		
Amber L. Hader	Amber L. Hader	40 Hood Ct Rogers		
Kirk Hunter	Kirk Hunter	555 Cambridge Drive	make it a dog house	
Chris Tonger	Chris Tonger	1522 NUSBURN RD		
Cherie Taylor	Cherie Taylor	4703 Pennsylvania Ave.	No more waste	
Doreen Bailey	Doreen Bailey	804 Turner Street		
Donna B. Jones	Donna B. Jones	518 <del>N</del> NUSBURN RD		
Robert Carter	Robert Carter	34237 N Hwy 550 + SW		
Francis Osborn	Francis Osborn	7500 EUREKA		
Carole Kerner	Carole Kerner			
Omar Peterson	Omar Peterson			